No. 10.

REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS.

War Department,
Office Indian Affairs, November 25, 1839.

Sir: In compliance with your instructions, I report the operations of this office, in the branch of public service committed to it, for the last twelvemonth.

On the 6th day of November. 1838, a treaty was made at the Forks of the Wabash, in the State of Indiana, with the Miamies, which was ratified on the 8th of February following. By it the United States have extinguished the Indian title to 177,000 acres of land, as well as it can be computed, for which we stipulated to pay $335,680, as follows: $60,000 so soon as the necessary appropriation was made; $6,800 to John B. Richardville, and $2,612 to Francis Godfroy, for claims against the tribe; $140,588 in discharge of their debts, and the residue in yearly payments of $12,568 each. The price given appears to be high, and more than is usually paid for the occupant right of what may be called wild land, but it is situated in the midst of a settled country, has a different value from Indian districts generally in its location and circumstances, and is said to be of fine quality. The $60,000. and the first instalment of $12,568, have been met. The stipulation for their debts included Indian creditors, confined the claims to those which had accrued since the last treaty was concluded with them, in October, 1834, and provided for the appointment of a commissioner to investigate their justice and legality. The gentleman assigned to this duty has not yet reported.

The seventh article binds the United States to appraise the buildings and improvements on the lands ceded, and to have others of corresponding value made at such places as the chiefs of said tribe may designate, and, until this shall be done, to permit the Miamies to occupy the existing improvements. The valuation has been made and returned to this office, and amounts to $3,069. We further engaged to cause the boundary lines of their land in Indiana to be run and marked within one year after the ratification of the treaty; to possess them of a body of land west of the Mississippi for their future residence, when they should be disposed to leave their present country, "sufficient in extent, suited to their wants and condition," and "contiguous to that in the occupation of the tribes which emigrated from the states of Ohio and Indiana," and to defray the expenses of a deputation of six chiefs or head men, to explore the region of country in which it is anticipated they will hereafter settle.

Their lands are now receiving marked boundaries. Until the report is made, how much remains to the Miamies cannot be precisely known, but it is estimated at 511,000 acres, or thereabouts. An exploring party has not yet been determined on by the Indians. The spring is the most suitable season for such a journey, and probably they may then undertake it. After they shall have had an inspection, personally, of a location that will

be agreeable to them, it may be the duty of the department to appropriate it to their future use.

With the Iowas a treaty was concluded on the 19th October, 1838, which was confirmed by the President and Senate on the 2d of March last. This band of Indians held, in common with the Sacs and Foxes, a large body of land between the Mississippi and Missouri rivers. They did not number one-fifth of the latter tribe, but their rights were distinctly recognised by the Sacs and Foxes in the third article of the treaty of the 19th August, 1825. They united in subsequent treaties themselves with the Government, and the Sacs and Foxes of the Mississippi also negotiated with the United States, and by these arrangements, especially that of the 21st September, 1832, became entitled to large benefits, in which, by virtue of their right to a part of the above land, the Iowas claimed to participate, and with good reason, it would seem, in the proportion of their number. To procure a cession of this right, and to quiet all just claim to any share in the annuities, &c. of the Sacs and Foxes of the Mississippi, this treaty was made. It was thought to be judicious, and so it appears to have been, by those who directed the negotiation, to abrogate all interests under previous treaties, and consolidate them, with the exception of certain beneficial stipulations provided for them by the third article of the treaty of 17th September, 1836. For the cession and relinquishment the United States agreed to invest, for their use, $157,500, and to guaranty an interest thereon of not less than five per centum "during the existence of their tribe." A life annuity of fifty dollars, it was provided, should be deducted from said income, and the balance be paid them, in money or merchandise, at their discretion, where the President may direct, annually, in October. These provisions, with one for the erection of ten houses for the Iowas, compose the treaty.

The investment was not made, but, in lieu of the interest at five per cent., $7,875 have been appropriated, and remitted with $2,000 for the erection of ten houses. Measures have also been taken for fulfilling our engagements under a former treaty, and the second clause of the first article of the late one. The third clause of the second article provides that such portion of their income as the chiefs and headmen may require, shall be expended for education, agricultural assistance, and a blacksmith shop. It was at first thought the portion that could be advantageously so used might be designated here, but, upon a nearer view of the provision, I was reluctantly compelled to submit the decision of the question to the Iowa chiefs, who, I have reason to believe, are utterly averse to its civilizing application.

The negotiation referred to in the report of 1838, as pending with the Creeks, was closed on the 23d November last, and received its ratification on the 2d March. The Creeks complained that they had lost considerable property, and been compelled to abandon improvements on their emigration. For a relinquishment of their claims on these accounts, the United States agreed to furnish them $50,000 in stock animals, to be distributed in proportion to their loss, as set forth in a schedule accompanying the treaty, and to invest, for the benefit of the individuals referred to, the sum of $350,000 at an interest of 5 per cent., to be paid annually for 25 years, when the President shall appropriate the investment for the common benefit of the Creek nation. For the McIntosh emigrants $21,103 33 additional were provided for distribution, according to a schedule transmitted, and on account of the suffering

condition and extreme poverty of about 2,500 Creeks, who were removed from Alabama as "hostiles," Government contracted to purchase for them ten thousand dollars worth of stock animals. Policy may have required that this distinction should be made, and a mark be set upon those who had engaged in the outbreak of 1836, but we cannot if we would avoid a feeling of sympathy for their misfortunes. As deluded as wicked they forced upon the Government the necessity of putting them down by arms, have lost their all but an allotment of land in the west and the benefaction of this treaty, and will not for twenty-five years to come, when the present generation will be well nigh extinct, have any part in the tribe fund. The interest appropriated by Congress has been paid, and the McIntosh fund remitted. An order was given for supplying the stock animals, but the acting superintendent advised that the purchase be deferred until next spring; in the reasons assigned by him I concurred, and approved of his suggestion.

In this connexion it is proper to mention, that in virtue of the authority granted by the act of February 13, 1839, to change the location assigned the Seminoles west, under the treaties of May 9, 1832, February 14, and March 28, 1833, between the main branch and north fork of the Canadian river, Captain Armstrong and General Arbuckle were instructed to make an arrangement with the Creeks for the purpose. It was effected, and a tract of country, equal in extent to that originally contemplated for them, secured between the deep fork of the Canadian and the Arkansas river. This was of great moment to those poor people, and to the peace of the western territory, for the Seminoles, to the number of more than 2,000, remained where they landed on the Arkansas, and resolutely refused to remove to their original district, for reasons stated at large in my report to you of 14th January last, were in a most miserable condition, and would, when their year's subsistence terminated, have been still more distressed. The appropriation of $10,000, which was made for their benefit, and the land arrangement referred to, have contributed very essentially to their relief.

As stated a twelvemonth ago, the Osages were destitute, wandered into the lands of other tribes, and committed depredations upon them and our citizens. They had suffered much, and we had profited much by purchases of land from them. Large reservations were held by half-breeds, under the treaty of 1825, in the Indian country, the titles to which it was important to extinguish; the humane disposition was felt and acted on by Congress, and seconded by the department, to make them more comfortable. The negotiation authorized with them terminated on the 11th January last in a treaty, which met the approbation of the President and Senate on the 2d March. By this instrument, they released all claims or interests under the treaties of 10th November, 1808, and 2d June, 1825, except the provision of the sixth article of the latter, and bound themselves to remove from the lands of other tribes, and to remain within their own boundaries. The above exception was well made. It embraces 54 tracts of land of a mile square each, reserved for the education of Osage children. This land was bought by the United States, by resolution of the Senate of 19th January, 1838, at $2 per acre; creating for the most useful of all purposes a fund by investment of $69,120, producing annually $3,456. In consequence of this relinquishment and obligation of the Osages, we contracted to pay them yearly, for the period of 20 years, $12,000 in money

and $8,000 in goods, stock, provisions, or money, as the President may direct: to furnish them blacksmiths, mills and millers, &c., and to each head of a family, who would form a settlement, the necessary agricultural implements and stock, besides a similar but larger provision and houses for 22 chiefs. In addition to all this, we undertook to pay the claims against them for depredations, which should appear to be just after examination, to an extent not exceeding $30,000, to purchase the half-breed reservations at $2 per acre, and pay annuity arrearages amounting to $6,000. The annuity, the price of the reservations, and the arrearages, have been paid. As soon as the Osages are settled, the beneficial objects (mills, &c.) shall receive immediate attention. Of the stock, instructions were given for the purchase of one-fifth, being as much as it was thought could be usefully delivered, or they would be entitled to by the conditions of the treaty; for which an appropriation of $7,300 was made, which has been remitted. Since, however, the agent has suggested that a delivery of two-fifths of the stock next spring would be a more advantageous course, and that the subsequent annual furnishing of a fifth, will place the Osages in a comfortable situation. The idea appears to be judicious, and has been approved. A commissioner has investigated the depredation claims against them according to the treaty stipulation, and made his report.

It is a gratification to reflect on this proceeding. The Osages had little to give in return for the liberal provisions of the treaty. They were poor and destitute, and troublesome. The property the half breeds retained was purchased at a full price. They released small comparative rights, and received, not an equivalent measured by value, but a consideration graduated by a generous spirit that sought their advantage. They were in want and are relieved, retaining what may be to them a well-spring of much good in their education fund.

An appropriation having been made for that object by the last Congress, a negotiation was opened with the Stockbridge and Munsee tribes, who live immediately east of Lake Winnebago, in Wisconsin. It eventuated in the purchase of a township of land, or one half of their possessions. This was no object, especially as a large proportion of the band will remain as residents on the unsold township; but the Indians were divided on the subject of emigration, differed about their system of government, and lived unhappily. In the cession the whole band unite; and, if the treaty shall be ratified, the consideration will be distributed so as to do full justice to all. The intent was, while the interests of the United States were taken care of, to benefit both sides of this distracted little community, which, it is believed, has been effected.

Connected with them by residence only, they not being property holders there or elsewhere, are some 115 or 120 Munsees and Delawares. These Indians resided in Canada, whither, it seems, they had removed during the last war, in which they sided with England. About two years ago they were invited by the weaker, or emigrating, party of the Stockbridges and Munsees, with a view of strengthening themselves, to come and settle among them, holding out, as an inducement, that, as they were a part of the Munsee band, they had rights to land in common with the Stockbridges and Munsees. The assertion of this right was resisted, at the making of the above treaty, by the other party, and correctly, as the claimants were not New York Indians, and were inhabitants of a British province when the land was acquired, and it was given up. These people are exceedingly

poor, and, when their friends emigrate, will be without a home. They ask that some provision be made for their removal west with them. There are no means applicable to the purpose, but I trust Congress will furnish them. An estimate will be submitted, and the necessary appropriation requested.

The first Christian party of Oneidas, at Green bay, is split in opinion on various subjects, among which is emigration, and the respective divisions are headed by active chiefs. The emigrating party amount at present to 182, and their proportion of the lands, held in common, is upwards of 18,000 acres. This property they desire to sell to the United States, and, it is understood, both parties will join in the cession, by which they will severally be rid of the difficulties that disturb them. Those who choose it, can go west and better their condition, while those they leave behind will live in quiet. To defray the necessary expenses of treating with them, a small appropriation will be required.

The negotiation with the Wyandots is still pending. An exploring party, bearing their own expenses, and composed of three against, and three in favor of, emigration, visited the west during the last summer, and were tolerably well pleased with the district proposed to them, and with the condition of the tribes in that vicinity. But a difficulty was made, and they received some assurance from the Delawares and Shawnees, that they would grant the United States a part of their land, at its value, for Wyandot use. This they much prefer, and proposed to send another delegation to examine it. The commissioner, Hon. W. H. Hunter, of Ohio, thinks if the grant can be procured, there will be little difficulty in making a treaty with the Wyandots. The second exploring party to go at their own expense, although it was not very apparent that it was necessary, was, therefore, authorized, and the commissioner instructed to make a purchase from the Delawares and Shawnees, subject, of course, to the ratification of the President and Senate, and made dependant on the condition that the Wyandots will accept it as their future home.

The negotiation with the united band of Chippewas, Ottowas, and Pottawatomies, failed. The commissioners reported, that the proposition to exchange their present possessions for land south of the Missouri river was declined, at one time positively, and, at another interview, until all their brethren shall have joined them under the treaty of Chicago. They desired an exploring party, and expressed a wish to see the land. The second section of the law of 28th May, 1830, under which the above negotiation was opened, has been repealed by the second section of the act of 3d March last, but as $5,000 were appropriated on the 7th July, 1838, for the expenses of a negotiation with the above Indians for their removal to the Osage river country, it was deemed advisable to further the views of Congress, by acceding to their wishes in reference to an inspection of the land southwest, and the necessary directions were given to the proper superintendent on the 27th July last. I have not since heard from him on that subject, as the expectation was that the journey would not be undertaken before October, if they should even then be induced to commence it. The branch of this family of Indians who did not remove from, but remained around and near St. Joseph, in Michigan, in violation of the treaty of 26th September, 1833, which bound them to go within three years after the 21st February, 1835, manifest a strong indisposition to comply with this their engagement. An attempt was lately made to persuade them to perform their contract, but without any apparent effect.

There remain in Indiana some Pottawatomies who, it is represented, are in a most deplorable condition. The body of these unfortunate people were emigrated last year, under the authority of the Governor of the State, leaving a remnant, whose exact number is not known. They are without property, and, it is feared, must suffer. They have heretofore shown a disinclination to remove, according to their covenants, and, judging from the past, it was deemed prudent not to incur fruitless expense. If they are sincere in late expressions of willingness to go, the door has been opened for them, by instructions to the agent to inform the Indians that, if they would come in, and collect for emigration in such number as will make a party, he was authorized and would immediately take all the necessary measures for their comfortable emigration, including a proper supply of subsistence for such time previous as might be necessary for preparation. What may be the result of this communication is unknown, but there is reason to believe that a party may be formed for removal on the principle stated.

The organization of a Winnebago delegation, to explore the country southwest of the Missouri, with a view to a suitable selection for their tribe, has been authorized. Hopes have been through the whole summer communicated from time to time, that the measure would be adopted, but it has failed. The emigration of these Indians from their present position, is of the utmost consequence. Right to remain where they are, to the great annoyance and disturbance of the white population, they have none. By the third article of the treaty of 1st November, 1837, they agreed to remove within eight months after the ratification thereof, to that part of the neutral ground west of the Mississippi, which was conveyed to them in the treaty of 15th September, 1832, on the unconveyed or western part of which the privilege to hunt was granted, "until they shall procure a *permanent settlement*." By this instrument they ceded all their lands east of the Mississippi, and agreed to remove to the neutral ground west of it before the 15th February last. They have not so removed, and, as neither they nor we contemplated more than a temporary residence at the latter place, it would be best for all parties, if they can be so convinced, that they should go at once southwest of the Missouri river. If they do not, a second removal as disagreeable as the first must soon take place, the expense of settling them permanently must be greatly increased, and what is of more consequence, they can neither be comfortable, nor make any advance while they are in this floating condition. Besides, they will be between very warlike tribes, who will, in all human probability, be found destructive, as they will certainly be dangerous neighbors. These and other considerations have created some anxiety that a deputation of these Indians should travel west, and be favorably impressed by what they saw. In the event that has occurred, an agent has gone, who can, from personal observation, represent the quality and condition of the country.

The emigration west for the last season has been small—of the Florida Indians 205, of the Ottowas of Maumee 108, and of the Swan creek and Black river Chippewas 62. These, besides six straggling Creeks, make the whole, counting 381. The number of Indians now east of the Mississippi, who are under treaty engagements to remove, is 27,251; showing that there were for emigration at the commencement of the year 27,632. There is a discrepancy between this statement and the one contained in the last annual report, which is thus explained. In the present exhibit are included 1000 Cherokees, who, as the emigration of 1838 was not closed when that report

was prepared, were not known to have been left behind, and were not therefore stated to be east. Their precise number is not now known; it has been represented to be under, but what is thought the better information makes a higher computation than is put down. I believe them to be between 1000 and 1100. If to these you add 150 Swan creek and Black river Chippewas, you have 1150 who were not mentioned in the tabular statement of 1838, and they make the difference between the last and present exhibits. (See tabular statement 1.) These Swan creek and Black river Indians, are not under treaty obligations to emigrate, but they are placed in the table for convenience, and because the United States contracted in the fourth article of the treaty of 9th May, 1836, to furnish them with 8320 acres of land west of the Mississippi, or north-west of St. Anthony's falls, expressing thereby the expectation that they would remove, and because further that anticipation has been realized as to a part of them. There was no appropriation of funds in the treaty to meet the expenses attendant upon their removal, but they were entitled by the second article to the net proceeds of the sales of their lands; upon a pledge of as much of this fund as would be adequate to their return, the required means were advanced. This was thought to be absolutely necessary, for their lands were in a good measure sold, the purchasers were entitled to the possession, and a compliance with their reasonable expectation would leave the Indians homeless. The lands have not realized, so far as sold, by a considerable amount, what was looked for; in consideration whereof, I would suggest the propriety of asking Congress, by an appropriation, to make good the fund which advanced the money expended in removal, and allow the Indians to retain whatever their lands will bring.

The Cherokees now in North Carolina, expressed a desire in the summer to join their brethren in the west. They are believed to be entitled to a participation in the benefits of the treaty of 1835, and there is a willingness to gratify them. It is understood, however, that the unsettled condition of Cherokee affairs has indisposed them to avail themselves at present of the provisions of the treaty. I think they should be required to elect within a short time. They have a right to remain or to go, but the interests of others are involved in their decision, and they ought to make it.

Of the Indians removed last year, these are now 768 Pottawatomies of Indiana upon subsistence, which will cease in December, 10,000 Cherokees, whose twelve months will expire at different periods from December to March next, and of those recently transported six Creeks and 205 Florida Indians are drawing rations. (1) The Ottowas of Maumee engaged merely to remove from the lands ceded on 18th February, 1833, by treaty of that date, but the treaty of 30th August, 1831, provides for the expenses of their emigration and subsistence for a year. The latter has consequently been ordered.

There is no authority for supplying the Swan creek and Black river Indians with the annual subsistence, which emigrants have usually received, but how they were to pass the approaching winter without it, I was unable to see. I think humanity made it imperative to advance what was required from the fund for removal and subsistence, and ask of Congress to reimburse it. The amount will be small, and the necessity was so urgent it could not be resisted.

The Cherokees, alleging that they have made crops of corn the last season, have through the superintendent asked, in June last, to have the beef

and corn rations, due after 1st September, commuted for pork, of which they can make bacon for the next winter's and summer's consumption. This he stated to be their wish and recommended as a good arrangement, subject, however, to their choice. Upon these representations the superintendent was authorized to permit the exchange by so many of the Indians as chose to make it, under his sanction—the option being entirely with them, as the department was informed by him that they were esteemed competent to determine judiciously for themselves.

In September, 1838, the chiefs and headmen of the Chickasaws, representing that sickness had prevailed among them, and occasioned many deaths, and that crops had not, from drought and the late arrival of many of their people, been made by them, applied to be furnished with seven months' additional rations. This request I thought not unreasonable, as the expenditure would be met by their own means, but that it could not be granted under the treaties with them, unless the President and Senate assented to the measure. On a proper representation that consent was obtained, the requisite directions given, and their wishes have been gratified.

Under the law of 7th July, 1838, for affording temporary subsistence to those Indians, whose indigence, traceable to their emigration, required it, eighty-five thousand dollars have been drawn from the Treasury, of which sixty-nine thousand were assigned to the western territory, and sixteen thousand dollars to the St. Louis superintendency. A larger sum, however, than the amount drawn has been applied to the relief of indigent Indians. The annexed statement (2) shows what tribes have profited by this fund, and to what extent according to the best estimate that can be formed in the absence of full returns, which have not been received, and upon which wait such further drafts on the appropriation as settlements shall show its liability to meet. The issue of rations on this account has ceased in the western territory, except to Seminoles. Their circumstances are peculiar. It will be recollected that, owing to a misunderstanding respecting their settlement in the Creek country, a large body of them refused to leave the banks of the Arkansas, on which they had fastened when they arrived last year, and they removed therefrom in the spring under a new arrangement. In the meanwhile, their annual subsistence was consuming without the slightest advance in ability to sustain themselves; they will, therefore, require longer proportional aid.

The report of the commissioner appointed to investigate the debts, and claims for depredations against the Chippewas of Saganaw, under the treaty of January 14, 1837, was received in the summer. That of the gentleman selected to reinvestigate the debts of the Winnebagoes, and the distribution of money among the mixed blood Indians of this tribe, according to the provisions of the treaty of November 1, 1837, has not been submitted. The Chippewas of Mississippi set apart $100,000, by the last treaty with them, to be distributed among their half-breeds, under the direction of the President, and $70,000 to discharge their debts, of which in that instrument they applied $58,000 specifically leaving 12,000 for their general creditors. To ascertain their debts, and the half-blood Chippewas entitled to participate in the above fund, and to pay the latter, a commissioner was appointed, who has not yet reported.

The report of the commissioners appointed under the 17th article of the treaty with the Cherokees, to investigate and decide upon demands against them, to value their improvements, to adjust their claims for spoliations,

and to determine their reservation rights, has been received. The immense mass of papers, records, and documents, accompanying it, upon which their proceedings were founded. and in which they are preserved, has made the examination of them in this office very laborious. but it has been completed, and my views thereon submitted to you.

Information of the excited condition of the Cherokees, and of the horrible assassinations it had produced, was received with the deepest regret. Farther advanced than their fellows of other tribes. placed upon a rich and valuable tract of country, with large means, and surrounded by all the elements of prosperity, the hope was cherished that their dissensions while east would be forgotten, and that there would be a common effort for the common good. Disappointment has taken the place of benevolent expectation, which is bitter in proportion to the desperate extremes that have been resorted to. Instead of a temperate course shaped by reason, the arm of the strong has prostrated the weak, and the murders of leading and distinguished Cherokees have been perpetrated in the presence of their families, at their dwellings, or on the public road, and in one instance within the limits of the State of Arkansas. The first official intelligence of these distressing events was conveyed in a letter from Capt. William Armstrong, acting superintendent of the Western Territory, dated 29th June, and received on 27th July. (3.) A letter of a prior date from M. Stokes, Esq., Cherokee agent, to yourself, but received on 31st July, with its enclosures, (4,) states that the murders of John Ridge, of Major John Ridge his father, and of Elias Boudinot were immediately preceded by a general Cherokee council, convened to compose the disquietude of the nation, and that they were severally destroyed on the 18th, 19th, and 20th of June last, in the order in which their names are given above. A communication from General Arbuckle, of 26th June, goes into detail on the subject of the Cherokee differences, mentions the murders as having occurred on the 22d, (which is the true date,) and furnishes a correspondence between John Ross and himself on the subject, in which he invites Mr. Ross to Fort Gibson if he did not feel secure at home, expresses his apprehensions of a general conflict, and proposes a meeting at the fort of the principal chiefs on both sides with a view to reconciliation. The invitation to repair to the garrison for safety was declined, Mr. Ross stating that his friends had voluntarily assembled for his protection, with a determination to act only on the defensive, if a threatened attempt on his life should be made. He consented at first to attend the proposed meeting, subsequently informed the general that his friends deemed it best they should attend him armed, hoped the act would not be misconstrued, and afterward declined an escort of troops offered him. He denied all knowledge of or participation in the murders, and when informed that it was alleged some of the murderers were at his house, and that, if so, the troops sent out would take charge of and carry them to the fort, he replied that if the fact was so, it was wholly unknown to him, though from the threats made against him personally, he was himself probably held to be one of them. He gave notice of "a convention of the people," which met within a few miles of his house, at "Illinois camp ground," on 1st July. (5.) The contemplated assemblage of chiefs did not take place. A general meeting of both parties in council was considered by the superintendent to be the only expedient by which harmony could be restored, and every effort to accomplish it made in vain. (6.)

The struggle at the council in June appears to have been between the old settlers and the Ross party. The former insisting that the existing laws should be enforced until "the regular meeting in October;" the latter proposing that an equal number of individuals should be selected from each party to form a constitution, and, if it was approved by the people, that the same persons should proceed under it to enact laws for the Cherokee nation. This proposition was rejected, the Ridge party uniting with the old settlers, and being the effective opponents of Mr. Ross and his friends. The dissolution of the council and the sad events mentioned soon followed.

"A number of the old emigrant Cherokees, as well as a portion of the Ridge party" had sought shelter in Fort Gibson, and, on the 28th June, addressed by John Brown, John Looney, John Rogers, and John Smith, executive council, a communication (7) to John Ross and others, chiefs or principal men of the emigrant Cherokees, proposing to meet their "eastern brethren," on the conditions that no Cherokee should be "killed for their former political acts or opinions," and that a convention of the nation should be held at Fort Gibson, in which both parties should be equally represented, with power to remodel the government. This communication was made on 29th June, through General Arbuckle and Governor Stokes, who accompanied it by an expression of their own views, (8,) recommending the acceptance of the proposition; which an answer to these gentlemen of the next day (9) did not decisively reject, although it showed that the advance was not favorably met. The conduct of General Arbuckle appears to have been characterized by prudence and sound judgment in this delicate crisis. Although he wrote again to John Ross and others, on 1st July, (10,) on the subject of the last two letters, yet, with the exception of a verbal communication from Mr. Ross, transmitted by Captain McCall, (11,) general in its character, and embracing a promise to give definite answers as soon as the chiefs had determined, no reply was made to the proposition submitted. This was evaded, and for it was substituted an invitation (12) dated 5th July, and signed by John Ross as principal chief, and the officers of the "convention" then sitting at Illinois camp ground, to "John Brown, John Looney, and John Rogers, chiefs of the western Cherokees," to unite with them in efforts to promote the prosperity and happiness of their common country. This appears to have closed the prospect of a general meeting, and the Cherokees who had been at the garrison left it; rumors of contemplated highhanded measures by the Ross convention were communicated to it, and strenuously denied, (13.) This party was again requested by Captain Armstrong, who used every exertion directed by zeal and good sense to tranquillize the excitement, to meet the western chiefs at a council they had called for the 22d July, which received a general and evasive reply, expressive of pacific feelings and intentions, but without point, (14.) The council of 22d July met, and continued in session about three weeks. During its deliberations, however, communications between it and the "convention," and between General Arbuckle, and both took place, (15,) and a new proposition was submitted by the old settlers' party to their opponents (16) to call a convention of representatives from both, which was declined, and the invitation to join the "convention" renewed, (17.) At this stage of their difficulties, John Brown, John Looney, and John Rogers, "Chfs. Cher. nation," make their appeal to the United States, asking that they "may be sustained in the enjoyment of our rights, and in the execution of our laws, and that the lives and liberties of all our citizens may be protected," &c., (18.) Against this appeal "the convention" pro-

tests, insisting that, as the pending differnces have grown out of questions of mere tribe police, it is not a case for United States interference, (19.) Between the dates of the appeal and protest a part of the old settlers, acting in concert with Mr. Ross and his partisans, passed resolutions declaratory of their disapprobation of the conduct of John Brown and John Rogers, and resolving that they be deposed from the office of chiefs, (20.) Up to the appeal, they had been treated and communicated with as chiefs by the "convention," of which those who made the above resolves formed a part. John Looney escaped deposition by passing over to the Ross party about the middle of August, although he had been a principal and efficient chief of the old settlers, and had attended the council of 22d July, about a week after the close of which he deserted his former friends. In connexion with this act, and as forming an historical portion of the proceedings of the Ross interest, it is proper to mention that, on the 12th July resolutions were adopted uniting the eastern and western Cherokees "into one body politic, under the style and title of the Cherokee nation," (21.) Of this paper, perhaps the most remarkable feature is that it does not mention, or even refer to, the treaty of December, 1835, but speaks of the late emigration as constrained by the force of circumstances.

It is necessary to recur to early acts of the convention. On the 7th of July, that body passed a decree, which, after reciting the murders of the Ridges and Boudinot, and that they and others in connexion with them, had laid themselves open and liable to the pains and penalties and forfeitures of outlawry, extended to the survivors a full and free pardon, amnesty, and exemption from punishment, on the condition that they should appear before the general council within eight days, and disavow and retract all threatenings which they might have put forth against any person or persons on account of the aforesaid deaths, and give satisfactory assurances of peaceable and orderly future demeanor. (22.) The still further mark of reprobation was set upon them, of ineligibility to any office of profit, trust or honor, for the period of five years, and, at the expiration of that time, the incapacity to be removable at the option of the general council. The period limited for their appearance was subsequently extended until further provision should be made. By the above decree it was also determined to raise by voluntary association, eight auxiliary police companies. Annexed is the form of submission required of those who chose to avail themselves of the proffered pardon, drawn up and signed on the 10th of July, by several individuals. (23.) It is sufficiently humiliating. As a part of the system adopted, another step of a most extraordinary character was taken on the day last named, which was no less than legalizing by resolution the horrid crimes of murder before mentioned, and exempting, releasing and discharging the unfeeling and wicked perpetrators of these cruel deeds, by ordinance of the convention, from any prosecution, punishment or liability whatever by reason thereof, and restoring them to the confidence and favor of the community, and the protection of the laws. (24.) For what laws are made, if such acts are permitted to go unpunished, or what security any individual has in an association that so misdirects power as to cover atrocious guilt, it is not easy to perceive. In the course of the month, frequent communications passed between General Arbuckle and the leaders of each party, relative to the proceedings and views of both, to reports that had reached the General, and measures he had adopted, which are given as aids to understanding the whole matter. (25.) On the 28th of August, a decree,

supplemental to that of the 7th of July, (extended on the 13th,) was made, calling upon all those who had not availed themselves of the latter, to appear before the convention on the 4th of September following, and comply with its requirements, "it being essential to the preservation of peace, that the life of a citizen shall not be unlawfully endangered;" (26) and of this order notice was given throughout the country, and where practicable, served personally. It is probable this measure was resorted to in consequence of a meeting of "the treaty party of the Cherokee nation," on the 20th of August, at which they passed spirited resolutions, denouncing the murders and the murderers of the Ridges and Boudinot, and the general course of the Ross party, and adopted an address to yourself, setting forth their grievances, appealing to the United States for redress and protection, and appointing John A. Bell and Stand Watie, delegates to represent their condition to the War Department. (27.) It appears that active exertions had been used to induce the old settlers to participate in the proceedings of the convention, and that they had been successful with many. (28.)

The intelligence of the destruction of the Messrs. Ridge and Mr. Boudinot was received with abhorrence, and created the most lively apprehensions that a Cherokee civil war would be the consequence. Happily so far that evil has been averted. Instructions were issued, in accordance with your directions, to General Arbuckle and the acting superintendent of the Western Territory, to use the most prompt and energetic measures for the discovery, arrest, and bringing to punishment of the murderers. (29.)

The address and appeal of 20th August were transmitted to this office through Captain Armstrong, and received on the 7th October. However much the situation of those who made them was deplored, and whatever of sympathy was indulged for their sufferings, the relations of the United States to the whole tribe required them to observe their treaty obligations and their engagements. It is impossible to look upon a denationalized minority, now struggling against, now flying from, power in the hands of a majority that moves straight forward to its object, regardless of the happiness or interests of the few, without feeling deep commiseration for their misfortunes. The political principle, however, is of general, as it ought to be of universal, adoption, that the majority of any community shall prescribe rules for all; and it is, with the qualifications necessarily arising out of their peculiar relations, as Indians, to the United States, admitted to be applicable to the Cherokees. But the absolute and indefeasible independence which they assert does not belong to them, nor can the United States, without a total abandonment of their whole Indian policy, for one moment admit it. The fifth article of the treaty of 1835 makes it incumbent on the Government "to secure to the Cherokee nation the right, by their national councils, to make and carry into effect all such laws as they may deem necessary for the government and protection of the persons and property within their own country belonging to their people, or such persons as have connected themselves with them," not inconsistent with the constitution or acts of Congress; and the sixth article binds the United States "to protect the Cherokee nation from domestic strife and foreign enemies, and against intestine wars between the several tribes." Domestic strife may be more or less widely diffused. It may consist of the slaughter of a few or the embroiling of all; and if the forms of law are used, and the laws themselves tyrannically perverted, so as to become a sword instead of a shield—if life is taken without law, or against it, though by its officers; or if acts

innocent when done are declared subsequently to be crimes, to reach those who are obnoxious, few though they be, the interposition of the United States, in these and other cases, tending as strongly to the production of domestic strife and intestine commotion, which might be put, would be called for by every consideration of humanity and duty. These views were fully communicated through the superintendent and Gen. Arbuckle, on the 8th and 12th October, to the chiefs of both parties. (30)

Very recently, there was received at the department a decree of the national committee and council, and people of the Cherokee nation in general council assembled, which was adopted on the first day of August, 1838, at Aquohee camp, before the Cherokee emigration, but now for the first time made known here (31); that is remarkable for the pretensions it advances, and utterly inconsistent with the acknowleged rights of States, and the just authority of the United States. It claims for the Cherokee tribe a title to the land ceded by the treaty of 1835, as paramount to that of "any other portion of the human race," and that it is even now their property—repudiates the treaty as void, and arrogates for the nation an existence "as a distinct national community, in the possession and exercise of the appropriate and essential attributes of sovereignty," which "are now in full force and virtue," and, as the council resolves, "shall continue so to be in perpetuity;" it is further declared, that the Cherokees have a claim for all damages and losses by reason of the late emigration, above the treaty and irrespective of that instrument. The arrogance of this paper it is true wisdom, I think, to rebuke at the threshold. If the argument be maintainable that their rights are unchanged by the treaty of 1835, it follows that the United States are, according to the highest judicial opinion, the owners of the fee simple in the land it ceded, (subject to certain State rights,) and in that view the doctrines it asserts are unfounded; but the treaty must be considered valid, it has been ratified by all the sanctions prescribed by the constitution, and is now in a good measure executed. It is not, however, in the contempt with which the treaty, and the acts of the Government in regard of it, are treated, reprehensible as this part of the decree is, that it merits the severest condemnation; but in its total inconsistence with the supreme power of this nation. The Government exerts control over all within the territorial limits of the United States. It is an attribute of sovereignty which cannot be controverted, and could not be yielded without destroying the vital principle of this not less than of any other frame of government, which, republican in form and practice, imbodies, nevertheless, supreme or sovereign power, that rests here in all, instead of being vested as elsewhere in one or a few. Limitations and restrictions are put on its exercise by the constitution; but they only give it mould and shape. This authority has been further modified by our several Indian treaties as to its extent and the manner of its use. Their rights are peculiar and distinguished from ours, and will be freely accorded; but at this day it cannot, in my judgment, be permitted them to act without regard to the treaties we have recognised, or the laws and constitution and undoubted power of the United States. This inalienable authority remains, and will be used, whenever what the Government may deem proper occasions shall call for its exertion. The power to enact laws or rules for the government of their own conduct, the United States have, in one shape or another, recognised to be in all the tribes. So far they have a right to exercise it, and will not be, as they ought not to be, overruled. But it must

be remembered, that the constitution and laws of the United States extend over all as their provisions may be applicable to each, and that they must command obedience. No Indian treaty has ever been made by the General Government in which this supremacy has not been asserted and admitted, and by this particular tribe more than fifty years ago in unequivocal terms.* While it is preserved untouched, acknowledge the existing rights of the Indians fully, and not only so, but, if need be, protect them in their legitimate exercise.

The great offence of those intended to be reached by the order of 7th July, extended on the 13th of that month, and made definite on the 28th August, was the signing of the late treaty. It is nowhere expressly admitted, but all the correspondence shows it; when it has been asserted to be so it was not denied, and those signers were alone singled out for vengeance. (32.) In pursuance of their instructions, General Arbuckle and Captain Armstrong very judiciously demanded the surrender of the murderers of the Ridges and Boudinot of Mr. Ross, as the acknowledged head of the eastern Cherokees, among whom they did not doubt those criminals would be found. In reply, he denied all knowledge of them, and the right of the United States to arrest or punish them. It is said the murders were resolved on at the Double Spring council ground, in June last, that those who took the life of John Ridge started from that ground for the express purpose, and that Mr. Ross was at the time performing the duties of principal chief of the emigrant Cherokees. Information has been communicated to the department that, since the demand for the murderers, he has sent beads and tobacco, and friendly talks to the chiefs of the Creeks, that the proceedings of his convention were transmitted to a Choctaw chief, and that "some of the band of Alligator," a Seminole chief of note, "who has located himself in the Cherokee nation, with about one hundred warriors," lately paid Mr. Ross a visit. (33.)

The stand taken by the Ross party of the Cherokees, and the various facts herein detailed, determined you to issue the orders of the 9th instant to General Arbuckle, and on the same day the superintendent was instructed, by your direction, to make no further payments to the Cherokees, until the excitement was allayed and their controversies settled. (34.) Of the precise day on which the convention separated, I am not informed, but have heard it was from the 6th to 10th September, and that it was succeeded by a council, answering to our Legislature, which assembled to enact laws under the constitution the convention had adopted. This body adjourned on the 12th October last, having appointed John Ross, principal chief, W. Shorey Coodey, Edward Gunter, Richard Taylor, Joseph M. Lynch, Looney Price, John Looney, Elijah Hicks and Jesse Bushyhead, a delegation to visit Washington, with authority to attend to "various important questions, and much business with the Government of the United States, both of a public and private character," which "yet remain in an unsettled state." (35.) Whether these delegates are commissioned to close the business and claims of the Cherokees under the treaty of 1835, or, as is more likely, to urge the demand set forth in the resolutions of the 1st August, which reach over and beyond the treaty, and regard that instrument as wholly inoperative, I am not advised.

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* Vide Treaty of Hopewell, 28th November, 1785.

The foregoing is believed to embrace every material fact and document necessary to a plain representation of the origin and progress of the Cherokee feud, and of the proceedings that have grown out of it in the Indian Territory, as well as of the measures that have been adopted on the part of the United States.

A contract made by James C. Watson & Co. with certain Creek chiefs, for the purchase of a large number of reservations under the treaty of March, 1832, was warmly opposed by counter claimants to the lands embraced by it. The controversy has been adjusted by the parties to it during the past summer, with a few exceptions, which the compromise left to the disposition of the special commissioner, appointed under a clause in the contract.

The sales of Chickasaw reservations, under the treaties of 1832 and 1834, have been extensive. They have yielded $3,446,412 92, which, (according to the reports of the agents,) have been paid to the several owners thereof, and $396,857 12, belonging to those who were not esteemed competent to the care of their own interests, and for orphans $146,610 55. The investments on the two last accounts have been large. It was thought from the reports of Colonel Benjamin Reynolds, prior to June, 1838, that land had been appropriated for all the Indian reservees; subsequently, however, as well that agent as Colonel Upshaw, his successor, reported a considerable number of claimants under the several provisions made for them, for many of whom selections have been made, which conflict, it is stated at the Land Office, in numerous instances, with sales by the register at Pontotoc. These locations have not been approved, and this office, as a measure of indispensable precaution, determined to suspend all action on them until registers, showing the names and qualifications of the claimants, should be received. Such a guide was ordered by the regulations, adopted by the late president, for executing the treaty provisions. It has been called for through the proper agent and superintendent, but the chiefs named in the fourth article of the treaty of 1834, who, in virtue of a provision of the treaty of 1832, were required by the regulations, with the assistance of the agent, to furnish it, have not yet done so. By the fourth article of the treaty of May, 1834, sales of reservations could be made, provided the President of the United States, or such person as he might designate, approved thereof. Under this clause a commissioner acted until December last, when it was thought unnecessary longer to incur the expense of such an agency, as the conveyances of the then unsold reservations, which were few, should they be purchased, could be submitted to the President of the United States through this office, one of the Government officers at Pontotoc certifying to the necessary facts.

The treaty of Dancing Rabbit creek, made numerous reservations of land. Many of them were duly claimed, and the requisite preliminary steps adopted, so as to vest the titles. These have been acted on, where the circumstances admitted of it, and finally disposed of—in some instances, however, the lands have been sold by the Choctaws, and to more than one individual—in others interferences have occurred between the reservation claimants and purchasers from the United States—and out of these and other causes have grown many very complicated questions, wrapped up in discordant and contradictory testimony. As they have arisen and been prepared for examination, they have been decided. The claims under the fourteenth article, known as contingent locations, Congress has determined to deal with as may appear to be just, when a correct knowledge of all the facts is obtained. To furnish the desired information, a commission was raised by act of 3d March, 1837; the gentlemen selected for the duty continued in its

performance, under the supplemental act of 22d February, 1838, until the 1st August of that year. They made a report so far as they had progressed, leaving the work unfinished, because of the limitation put upon their official existence. The creation of a new commission to complete the investigation, with such powers as Congress may judge fit to confer, is respectfully recommended, as preliminary to the final decision which it may be the pleasure of the Legislature to make. Under the nineteenth article of the treaty, 465 claims were registered, and of these, 347 have been located, leaving 118 claimants, to whom particular tracts of land have not been assigned to be provided for. They have, as it is believed, gone west, and it has been stated that in the most, if not all of these cases, the land occupied by them at the date of the treaty, has been sold by the United States. The department has not appointed an agent to locate these individuals; because the reasons that are presumed to have induced Congress to legislate in respect of the reservations under the fourteenth article, which produced the contingent locations, are thought to apply with equal, if not greater, force to the claims under the nineteenth article, which have not been located, and besides there is a provision in the last article, that if, having taken the required previous steps, any prefer it, or omit to take reservations, they shall be paid fifty cents per acre after reaching their new homes. It seems to me that this class should be embraced in the inquiries that may be committed by Congress to a new commission. If it shall be reported that they either preferred to receive the above price, or omitted to take the reservations, the treaty provides for the case—but if they left the land because others came upon it, or for any other reason that would constrain an Indian to abandon his premises, whatever measure or mean of compensation Congress may adopt for the claimants under the fourteenth article should, in my opinion, be extended to those under the nineteenth. Where the titles vested under the last article, the lands might be sold by the treaty with the consent of the President of the United States: a Commissioner has been, and is now engaged in the duty of certifying and reporting the necessary facts, who has been lately written to, asking a report of what remains to be done, and instructing him to close the business as early as practicable.

The annexed statement (36) exhibits the investments in State stocks, that have been made for Indian use, of moneys raised from sales of land, and provided by various treaties, as well as appropriations by Congress, in lieu of interest, when the sums stipulated to be funded have not been so set apart. This course fulfils our engagements with them, and is, perhaps, for several reasons, the most judicious one. There is wisdom in this most benevolent feature of our Indian policy, for, while it serves them and meets their wants, it must have a powerful effect in binding them to the performance of their duty to us. Under the 19th article of the treaty of September, 1830, the Choctaw orphans were entitled to a fourth of a section of land each, which might be sold with the consent of the President, and the proceeds beneficially applied for their use. These lands (except two reservations) have been purchased for full prices payable by equal annual instalments on the 28th of May and 6th of June, 1840, 1842, 1844, with interest payable annually, on the same days of May and June in 1839, and the years already mentioned. Of the interest due there have been received $3,822 79, leaving unpaid $3,465 04. Those who owe have been written to, urging them to pay their respective proportions of what is yet undischarged.

Congress at its last session appropriated $5,000 to defray the expenses of vaccinating the Indians. An apportionment was made of the money so as, according to the best judgment that could be formed, most effectively to further the benevolent purpose of the donation. The sum of $500 was retained to purchase vaccine virus, which was procured and forwarded. $1,500 were allotted to the St. Louis superintendency; $500 to that of Wisconsin; $1,500 to the Western territory; $500 to the Michigan superintendency, and $500 to that of Iowa. It is hoped that much good may result from the faithful and careful use of this preventive agent, but the sufferings and destruction of life from small-pox among self-willed and exposed savages will be inevitably great.

The information possessed by the department, respecting Indian schools, will be found in the appendix. (37.) This is one of the most important objects, if it be not the greatest, connected with our Indian relations. Upon it depends more or less even partial success in all endeavors to make the Indian better than he is. No direction of these institutions appears to me so judicious as that of religious and benevolent societies, and it is gratifying to observe the zeal with which all the leading sects lend themselves to this good work; discouragements do not seem to cool their ardor, nor small success to dissuade them from persevering efforts. It is a purpose without the ordinary incitement to sacrifice, or great exertion; there can be no individual or even sect distinction acquired: the consciousness of rightly directed aim is the only, but it is the richest while it is the simplest, reward, and unmingled with the strifes and rivalries that often attend the faithful performance of other duties, we find each society, according to its own system, endeavoring to open the Indian mind to new views of life through education, not only not crossed or jostled by its co-laborers, but cheered and encouraged: by all, the least success of either, is received with grateful feeling. The methodist episcopal church, in accordance with the plan proposed last year, is engaged in making an establishment near the mouth of the Kanzas river and the western line of the State of Missouri, in the country of the Shawnees. The report of the Fort Leavenworth agent (38) exhibits in detail the great progress they have made towards the completion of their preparations for entering upon this broad field of philanthropy. The connexion of manual labor and mechanic arts with book instruction, leads to the confident expectation that good fruit will be gathered. Without this combination, which may change Indian habits, I think effort must be almost unproductive. Having dwelt heretofore on the great utility of this union, I will not enlarge upon it. The subject of Indian education has been much thought of, from a thorough conviction that all attempts at general civilization, or any hope of impressing many with proper views of a Providence over all, without the efficient aid of schools, will be vain. It seems to me that, extending all proper aid to every scheme that offers any recommendation, and every possible assistance to such as your judgment decidedly approves, after all, the greatest prospect of ultimate success is held out by small schools with farms attached, in the most compact Indian settlements. The teacher mingles familiarly with his scholars, and frequently meets and converses with the parents, who see their offspring from time to time engaged at their books and on the little farm, become familiarized with the process, and observe (which even they must do) the change that is gradually but surely wrought upon the tempers, habits, and conduct of their children. A moral influence surrounds and fills the cabin; the heads of families, or adult brothers and sis-

ters, may not learn to read or write, but they will feel what they cannot explain, and unconsciously respect, by altered lives, what they do not understand. The agent is constantly at work—time and opportunity are daily given for effecting that which requires both. The humble household concerns are mixed up with those of the schools; if the progress is more tardy it is more certain, and the kind laborer operates upon more than his pupils. Whereas, if the school be distant, and the scholar returns home at intervals of months or years for a season, the recess is one of indulgence and pleasure, in which he contrasts the restraints of the tutor with the freedom of his native wilds, and his parents, entirely ignorant of what have been his engagements, or are his acquirements, think only of their separation, and cannot appreciate the advantages that are offered him. When he returns finally, the same feelings and opinions operate, with this addition, that he has lost acquaintanceship; his knowledge is despised by the uncultivated men around him, who value the capability of enduring fatigue, or of throwing a bullet or the tomahawk with accuracy, more than all he knows, while he, without association or interest, either relapses into savage habits, or is more likely to fall into vicious indulgence. I rely much upon these clan schools, but would by no means discourage efforts upon a larger scale. Let them strive together to a common end, and the absentee will find, on his return, companions in those who have received local instruction, be properly estimated, and communicate what the smaller institution did not teach. One great mistake has, I think, been made. In every instance that is now recollected, more boys are educated than girls, and the preparatory arrangements seem to contemplate it. Upon what principle of human action is this inequality founded? All experience and observation throughout the world argue against it. Unless the Indian female character is raised, and her relative position changed, such education as you can give the males will be a rope of sand, which, separating at every turn, will bind them to no amelioration. Necessity may force the culture of a little ground, or the keeping of a few cattle, but the savage nature will break out at every temptation. If the women are made good and industrious housewives, and taught what befits their condition, their husbands and sons will find comfortable homes and social enjoyments, which, in any state of society, are essential to morality and thrift. I would therefore advise that the larger proportion of pupils should be female. The effect may not be, and, I presume, will not be suddenly perceived, but they will acquire influence and weight, and must form, in a good degree, there as elsewhere, the characters of their children. Without this ever-busy and ever affectionate auxiliary there can be no radical success. Failure, substantially, so far, has marked the kind and beneficent agency of the Government and of good men and benevolent societies—if the manual-labor system and a liberal extension of female instruction shall also prove unavailing after years of trial, then, but not until then, the hope of the philanthropist may be abandoned.

Connected closely with the preceding, is the policy of establishing plantations, and employing farmers to teach the Indians our modes of culture. How far they may have profited by these establishments, it is difficult to say, but they can hardly fail to be useful as models for imitation. When the Indians join the farmer in his operations, and which, to a greater or less extent, they appear to do, they must learn something, and may acquire a taste for the occupation. The agents are required to state annually, how

"the farmers, mechanics, and others, have been employed during the year; the quantity of agricultural implements, or other articles delivered to them, and by them to the Indians; the number of farms or acres cultivated, the kind of cultivation, and the amount and disposition of the produce, the number of Indians instructed in agriculture or mechanical arts, distinguishing minors from adults." The regulation would seem to apply not only to the plantations which are in some tribes appropriated to culture by employed farmers, but likewise to the cultivation, with their instruction and aid of their own small clearings, by the Indians themselves. General reports are made, and although I have reason to believe that the surplus produce of the former is distributed to the chiefs for their people, or to the families themselves, yet I do not find that any special account is rendered of it. The amount of relief it affords must be trifling. It would, perhaps, be judicious, after their families shall be supplied with what may be necessary for their own consumption, to require a strict account of, and accountability for, the remainder from the farmers, which might be made subject to the order of the agent in kind, for distribution at his discretion among the Indians who may desire to open farms, of seed-grain, potatoes, increase of stock that could be spared, &c. As the distribution would of necessity be limited to a few, the most industrious and deserving should be the recipients, which would excite emulation, a struggle for preference ensue, and the standard of Indian character be elevated.

The exhibit (39) of balances in the hands of agents of the office of Indian affairs on the 1st October, 1838, of the sums remitted to them in the three first quarters of 1839, and received from other agents, &c., of the amount accounted for, and that which remains open, will give a general view of the fiscal operations of the department. You will also find (40) a statement of the sums applicable to expenditure, and of those disbursed during the year ending on the 30th September last. The moneys appropriated for the Indian service are required for specific objects, which are stated in the estimates transmitted to Congress. Of the contingent fund only is there any direct control. In regard of the civilization fund, and of appropriations for agency houses, and such like purposes, the discretion of the department is restricted to the time of expenditure, and fitness of the occasion. The civilization of the Indians is a paramount duty, and wherever and whenever the money can be usefully spent, Congress intended it should be used, and so far as the comfort of the agents of the department requires it, the amount necessary should be drawn for the erection and repair of houses, &c., with an especial eye to the prevention of decay in the public buildings. There is a discretion as to the time when you may most advantageously for the Indians deliver stock, erect mills, furnish agricultural implements, and extend to them similar beneficial provisions, but the duty to meet scrupulously your engagements remains, and the funds therefor, although the expenditure of them may be wisely and benevolently deferred for short periods, must be used. The contingent fund alone can be said to be subject to absolute control, but it was appropriated because it was believed to be necessary to the prosperous conduct of Indian affairs, and it may well be doubted if that discretion be sound which refuses its expenditure on proper occasions. True economy consists more of the seasonable and judicious application of means furnished, than of withholding their use. With the foregoing exceptions, the yearly expenditure of the appropriations for the twelve months' service, seems to be indispensable to the

payment of treaty debts, and the performance of treaty and legal duties. It will, therefore, I hope, be seen that however large the disbursements through this office are, they are not only not to be avoided, but enjoined by the most solemn obligations. The provision known as the civilization fund, and its condition, and that of the treaty stipulations for education, are exhibited. (41, 42.)

The annuities due, and the various other obligations growing out of Indian treaties which are executed by this department, have had proper attention. The annual reports received from the respective superintendents and agents, (extracts from which, numbered 43 to 62, inclusive, are annexed,) state the general situation of the several interests and tribes confided to their care. Although these papers show that their authors have been faithful and attentive to their duties, I do not gather from them that there has been much improvement in the Indian condition, and I fear there never will be, except in the western territory, where there has not been time to test the effect of their new position. So long as they roam about the country in idleness, taking now and then a little game, half-starving during the inclemency of winter, or if any untoward event takes place, and mixing occasionally with vicious white men, differing only from themselves as they may be more cunning, more mercenary, and more unprincipled, they will grow worse and more degraded. Their course must be onward or backward—stationary they cannot be, and forward they do not go. The whole history of the race bears testimony to the fact that the contact of the white man is death to them. Whether it be that barbarity necessarily recedes before civilization, that ignorance timidly retires before science and the arts, instead of improving by them, or that the pursuit of game carries them further into the forest, and the vices they learn of us sicken and kill them—certain it is that, without advancing in any degree worthy almost of mention, we find, after ages of exertion by benevolent men, they are not less vicious, are diminishing gradually in number, and tending rapidly, by all the signs which precede it, to extinction. This has been the fate of many powerful tribes. It will be the end of all, unless the experiment of the Government in the Indian territory shall be blessed with success. If that issue is uncertain, and the experience of the past for them every where else is most disheartening, the redeeming of an interesting race from the slavery of bad habits and the degradation of vice, and the inclination for both, which is the offspring of ignorance, is worth more than all we can do. The least advance is something. To lay the first stone is the commencement of a foundation—the height of the superstructure is in the womb of time. Perseverance, then, is a duty, and success will be as welcome to the heart of the officer as of the philanthropist.

The disbursements of this department since its organization in 1834, and prior to this year, were made chiefly through military officers. The employment of those of the line after 5th July last, was prohibited by an act of Congress of July, 1838. Deprived of the efficient aid of the military gentlemen who had been in the service of the office, and no other provision having been made, I was necessarily thrown upon such officers as could by law be employed in paying annuities, and making the other heavy disbursements of the season, and it is with great pleasure, I am enabled to say, that, so far as is known, despatch, accuracy, and fidelity, have marked the service of the year. (63.*) It is thought, however, a different

* Additional regulations thought to be required.

system of disbursements should be adopted. The ordinary superintendencies and agencies of the department, (whose useful services have been referred to,) in superintending the Indian tribes, in looking to their condition, suggesting their wants, and redressing their grievances, if their duties are properly performed, will find ample employment. The system does not recommend itself which puts different, and in some respects discordant, duties into the same hands. Besides, the checks which are to be found in assigning them to separate officers, is a consideration of paramount weight. In so large disbursements as are and will be made through the Indian office, too much caution cannot be exercised in securing fidelity. Much is necessarily committed to distant agents, and all the responsibility which it is possible to throw upon a failure to be just to the Government and the Indians, should be imposed. The necessity for reposing great confidence creates the correspondent obligation to be exacting to the outermost line of duty. That there may be no excuse in the oppression of business, either for not performing duty at all, or doing it unseasonably, for not rendering accounts promptly, or for not meeting any other requirement strictly, I advise that the employment of district pay-agents be authorized by law. Past experience points to the army. In paymasters, accustomed to this branch of business, and almost proverbially punctual and upright, would probably be found all that is desired. It might, to enable you to detail for this service as many as would be required, be necessary to increase this class of officers in the army by four. This suggestion has the advantage of having met the approbation of the Senate last session.

I was gratified to receive lately from Governor Lucas the law of the Territory of Iowa, of which I send a copy. (64.) It brings local enactments in aid of those of the union, and situated as the Indians are in Iowa, will, if rigidly enforced, have a powerful effect in restraining the trade in the great instrument of their destruction. The United States officers are few and widely scattered, making, when the utmost vigilance is exerted, the execution of the intercourse law difficult, and its restraints less efficacious than all good men desire them to be, whereas, the admixture of the resident white population and their legal officers, runs through the territory, and must make this well-drafted law, unless its provisions are wholly neglected, answer the purpose of its framers. A law of the same character, which I have not seen, I understand exists in Missouri. A similar provision is most desirable, wherever there are subjects for its operation, not in those States or territories only, within the limits of which there may be Indian population, but in those also on the confines of which these misguided people live, and over which they will certainly go for the gratification of their appetites. The intercourse law might, I think, be judiciously amended, by strengthening the hands of the War Department, and allowing of no intercourse whatever by whites with the Indians in the Indian country, except by its express permission or authority. As it is, you can remove those who are found there contrary to law, that is violating the provisions of the law, but the power of exclusion would be infinitely more effectual.

The views expressed in my last annual report, on the subject of confederating the tribes who now are, or hereafter may be, settled in the Indian territory west of the Mississippi, are unchanged. Subsequent reflection and recent events have made those opinions more decided, in which I am happy to know I have the concurrence of the head of the War Department. One or two of the large tribes must acquire a preponderating influ-

ence in the councils of such a confederacy; and, controlling that influence, an ambitious and daring chief could mould their deliberations to the furtherance of his own designs, if he did not use those assemblages for arranging a more direct and desperate attempt at maintaining his own policy. The idea of convening the Indians by representatives of bands, annually or oftener, to consult upon the means of preserving peace, and regulating their intercourse with each other, however plausible, involves more hazard than benefit. Each of the tribes will make the laws deemed to be best suited to its circumstances, and we have undertaken (apart from special stipulations) to protect them, at their new residence, "against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatsoever."* Beyond this, my impression is strong, it would be impolitic to go. Interfere with no right they possess, fulfil to the letter every covenant you have made, but do not gratuitously place them in a position from which the mass can gain no solid advantage, but in which craft may find a field to work. Congress can most judiciously prescribe the regulations that shall govern their intercourse with each other. I may overrate the risk, but with the disposition, and the determination so far as I have means and capacity, to lift these people out of their depressed condition, there is no desire to do even that, much less to make them further than they are the blind instruments of their leaders, to the detriment of the United States. If we owe them much, we owe more to ourselves.

Respectfully submitted,

T. HARTLEY CRAWFORD.

Hon. J. R. Poinsett,
Secretary of War.

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*Act of 28th May, 1830, Sect. 6.

LIST OF DOCUMENTS

ACCOMPANYING THE REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS.

Emigration and subsistence of Indians.

1. Statement of the number of Indians removed, and to be removed, with the daily cost of subsisting them.
2. Statement of the number of indigent Indians subsisted, and the aggregate expense of the same.

Cherokee disturbances.

3. Letter of Captain Armstrong, reporting murders of Major John Ridge, John Ridge, jr., and Elias Boudinot.
4. Letter of Governor Stokes, reporting same, with details; and the accompanying papers.
5. Letter of General Arbuckle, reporting same, and the differences between the "old settlers" and "late emigrants," and his correspondence with John Ross upon the subject.
6. Letters of Captain Armstrong, stating the proceedings of each party, and the efforts made by him to produce a reconciliation.
7. Letter of John Brown, John Looney, John Rogers, and John Smith, "executive council" of the "old settlers," to "John Ross, Esq. and other chiefs or principal men of the emigrant Cherokees," proposing terms for an accommodation of differences.
8. Letter of General Arbuckle and Governor Stokes, to the same, recommending the acceptance of these propositions.
9. Letter of John Ross and others, "on behalf of the eastern Cherokees," to General Arbuckle and Governor Stokes in reply.
10. Letter of General Arbuckle to John Ross and others, "acting on behalf of the eastern Cherokees," urging an acceptance of the terms proposed.
11. Letter of Captain McCall to General Arbuckle, reporting the result of his interview with John Ross, in relation to these propositions.
12. Letter of John Ross and others, to John Brown and others, chiefs of the western Cherokees, inviting the western Cherokees to attend the "national convention."
13. Correspondence between General Arbuckle and the late emigrants, in relation to reports that violent measures were meditated by the Cherokees, &c.
14. Letter of the late emigrants to Captain Armstrong, expressing pacific feelings and intentions; and from Captain Armstrong, transmitting it.
15. Correspondence between General Arbuckle and the "convention" of the late emigrants.
16. Letter of General Arbuckle to the "convention," communicating further propositions on the part of the chiefs of the old settlers.

17. Letter of General Arbuckle, transmitting documents; of the "convention" to the chiefs of the old settlers declining to accede to their proposals, and renewing the invitation to the old settlers to attend the "convention;" of the same to General Arbuckle, with a copy of that letter.
18. Appeal of the old settlers and "treaty party" to the United States Government.
19. Protest of the "convention" against the appeal.
20. Resolutions of "citizens of the Cherokee nation, known as old settlers," deposing and removing John Brown and John Rogers from the office of chiefs of the western Cherokee nation. Letter from Captain Armstrong transmitting them and the protest.
21. Act of union passed by "the people composing the eastern and western Cherokee nation, in national convention assembled."
22. Decree of "the people of the eastern and western Cherokees, in general council assembled," pardoning certain persons who had "laid themselves liable to the pains and penalties and forfeitures of outlawry," on certain conditions.
23. Form of submission required under the decree.
24. Decree of the "convention" pardoning all Cherokees chargeable with murder or homicide committed on the person of any Cherokee, previously to its passage.
25. Correspondence between General Arbuckle and the "convention," in relation to the first decree, (22,) &c.; and letter from him to the chiefs of the old settlers, recommending to them to approve the proceedings of the "convention."
26. Order that those who have not availed themselves of the decree of the 7th of July, (22,) be notified to comply with its conditions on or before the 4th of September.
27. Proceedings of a meeting of the "treaty party" on the 20th of August; correspondence between Captain Armstrong and George W. Adair and others, General Arbuckle and same, and letter from General Arbuckle to the "convention," in relation to the decree of the 7th of July, (22) &c.
28. Letter from General Arbuckle, stating that many of the old settlers had been induced to join the "convention," &c.
29. Instructions to Captain Armstrong and General Arbuckle, to arrest the murderers of the Ridges and Boudinot.
30. Instructions to Captain Armstrong and General Arbuckle in relation to the course to be pursued by them, to reconcile the opposing parties.
31. Decree of the eastern Cherokees, claiming the territory described in the first article of the treaty of 1819, repudiating the treaty of 1815 as void.
32. Correspondence between General Arbuckle and the "convention," in relation to the decree of July 7th, (22,) and the subsequent order.
33. Letter of General Arbuckle and Captain Armstrong, to John Ross, requesting him to deliver the murderers of the Ridges and Boudinot; his reply refusing, and denying any knowledge of them; letters from General Arbuckle and Captain Armstrong, reporting these facts, and that Ross has endeavored to gain over the Creeks and Choctaws.
34. Instructions to General Arbuckle, to use every exertion to arrest the murderers; to arrest Ross, and to hold him to bail for trial; and to Captain Armstrong, to suspend all payments to the Cherokees.

35. Letter from "W. Shorey Coodey, president national committee, Young Wolf, speaker of council, John Ross, principal chief, and J. Vann, assistant chief," to Governor Stokes, informing him of the appointment of a delegation to visit the seat of Government.

Condition of the Indian tribes, relations with them, and description of the Indian country.

43. Report of William Armstrong, agent for the Choctaws, and acting superintendent, Western Territory.
44. Report of Henry R. Schoolcraft, agent at Mackinac, and acting superintendent, Michigan.
45. Report of His Excellency Henry Dodge, Governor of Wisconsin, ex officio superintendent.
46. Report of D. Lowry, sub agent Prairie du Chien.
47. Report of D. P. Bushnell, sub agent Lapointe.
48. Report of His Excellency Robert Lucas, Governor of Iowa, ex officio superintendent.
49. Report of Lawrence Taliaferro, agent, St. Peter's.
50. Report of Joseph M. Street, agent for Sacs and Foxes of the Mississippi.
51. Report of Richard W. Cummins, agent, Fort Leavenworth.
52. Report of Joseph V. Hamilton, agent, Council Bluffs.
53. Report of A. L. Davis, sub agent, Osage river.
54. Report of Samuel Milroy, sub agent, Indiana.
55. Report of Purdy McElvain, sub agent, Upper Sandusky, Ohio.

Education and Schools.

37. Statement of the number and condition of Indian schools.
38. Report of Richard W. Cummins, agent, Fort Leavenworth, in relation to manual labor school, with sub-report.
56. Report of D. Lowry.
57. Report of H. R. Schoolcraft.
58. Report of Lawrence Taliaferro, with sub-report.
59. Report of A. L. Davis, with sub-report.
60. Report of D. P. Bushnell, with sub-reports.
61. Report of Moses Merrill, teacher Ottoes and Missourias.
62. Report of Richard W. Cummins, with sub-reports.

Fiscal Statements.

36. Statement of amount of investments for Indian account, and of appropriations by Congress, in lieu of interest.
39. Statement of receipts and disbursements of the amounts applicable to expenditure.
40. Statement of the amount expended in the year ending 30th September, 1839.
41. Statement of the civilization fund.
42. Statement of the treaty funds for education purposes.

Miscellaneous.

63. Additional regulations.
64. Law of Iowa Territory.

No. 1.

Statement showing the number of Indians of the respective tribes east of the Mississippi river, at the date of the last annual report of the Commissioner of Indian Affairs, to be removed in pursuance of treaty stipulations; the number of each tribe removed since last report; the number remaining east to be removed; the number of Indians now under subsistence west, and the daily expense thereof.

Names of tribes.	Number for removal at date of last report.	Number removed since last report.	Number now to be removed.	Number now under subsistence west.	Daily expense for subsistence.	Remarks.
Chippewas, Ottowas, and Pottawatomies -	5,648	-	5,648			
Pottawatomies of Indiana - - -	150	-	150	768	$57 60	The year's subsistence of these Indians will cease in December, 1839.
Choctaws - - - -	3,323	-	3,323			
Creeks - - - -	750	6	744	6	78	
Florida Indians - - - -	835	205	630	205	23 63	
Cherokees - - - -	1,000	-	1,000	10,000	1,300 00	The year's subsistence of these Indians will cease in December, 1839, and February, 1840. Whether the remaining Cherokees shall hereafter be removed by the United States, is not absolutely certain. It depends upon themselves chiefly, as they are believed to be entitled to the benefits of the treaty.
Swan Creek and Black River Chippewas* -	150	62	88			
Ottowas of Maumee - - -	200	108	92			
Ottowas and Chippewas - - -	6,500	-	6,500			
Winnebagoes - - . -	4,500	-	4,500			
New York Indians - - -	4,176	-	4,176			
Chickasaws - - - -	400	-	400			
	27,632	381	27,251	11,087	$1.382 01	

* The treaty with these Indians does not stipulate for their removal by the United States. It has been deemed advisable, however, to emigrate them, the expenses of which will be paid from the appropriation for removal and subsistence of Indians; and it is expected that this money will be reimbursed from the proceeds of the sales of their lands.

Office Indian Affairs.

No. 2.

Statement showing the number of Indians who have been subsisted under the appropriation, per act of 7th July, 1838, *"for affording temporary subsistence to such Indians west of the Mississippi river, &c., as are unable to subsist themselves, &c.," distinguishing the number of each tribe, the period of subsistence, and the aggregate expense of the same.*

Names of tribes.	Full number of rations.	Time drawn for.		Amount of rations in money.	Remarks.
		Months.	Days.		
Osages	1,800	5	-	$39,690 00	
Quapaws	214	6	-	5,741 00	
Choctaws	120	6	-	3,155 00	
Creeks	1,735	4	-	30,605 00	
Seminoles	1,002	-	-	14,204 00	
Iowas, Sacs and Foxes	-	-	-	8,000 00	There are no documents in this office to show the number of these Indians, and the period of their subsistence. It is reported that the accounts amount to $8,000.
Chippewas, Ottowas, and Pottawatomies	120	6	-	2,178 00	
Pottawatomies on the Osage river	276	6	-	4,968 00	
	5,267	-	-	108,541 00	

NOTE.—Of the appropriation of $150,000 $85,000 have been drawn from the Treasury, which have been remitted as follows, viz: For subsistence of indigent Indians in the St. Louis superintendency, $16,000; and for the same purpose in the southwestern superintendency, $69,000.

OFFICE INDIAN AFFAIRS.

No. 3.

VAN BUREN, ARK., *June* 29, 1839.

SIR: I avail myself of the opportunity of writing you a few lines, upon my returning thus far on my way to the agency.

* * * * * *

When I left home I was apprehensive of difficulties with the new emigrant Cherokees, and in consequence hurried back. I learn here that Major Ridge, and his son John Ridge, are both killed, also Mr. Boudinot. Mr. Ross is at his residence, about eighteen miles from Gibson, with a guard of from five hundred to a thousand Cherokees. The whole nation is in a high state of excitement. I will go on to my agency to day, and proceed on up to Fort Gibson to-morrow. I will advise you more fully in my next; and hope that with General Arbuckle, some accommodation of differences may be made.

Respectfully, your most obedient servant,

WM. ARMSTRONG,
Acting Superintendent, W. T.

T. HARTLEY CRAWFORD, Esq.,
Commissioner of Indian Affairs.

No. 4.

CHEROKEE AGENCY, BAYOU MENARD,
June 24, 1839.

SIR: I send you herewith three reports; two from the principal chiefs of the old Cherokee nation who first removed to this country, and one from John Ross and a portion of the late emigrants who removed under his direction.

About the 10th to the 19th June, the Cherokees of all parties held a council at their new council house at Takuttokah. The whole nation were invited, and about six thousand attended, for the purpose of reconciling all differences, and uniting in forming a government for the whole Cherokee nation. This object was clearly and distinctly expressed in all their letters and messages. General Arbuckle and myself attended two days, by special invitation, and did all in our power as friends and mediators. We found that the parties did not agree, but we saw nothing like hostility. On the 15th and 19th I received by express the two reports of the (which) copies are herewith sent, marked (1) and (2); and on the 21st I received by express the report from the Ross party, marked (3).

When General Arbuckle and myself got to the council, Major John Ridge and his son John Ridge, Elias Boudinot and his brother Stand Watie, were all present, but they all left the council ground that evening, and (as I have since understood) under some apprehension of danger. It was known before they went away, that most of those concerned in making the late treaty of New Echota had joined the old Cherokee party, who first removed to this country, and were opposed to John Ross and his party.

I am exceedingly sorry to inform you that John Ridge was killed on the 18th June, instant. His father, old Major John Ridge, was killed on the 19th, and Elias Boudinot was killed on the 20th instant. The murder of Boudinot was treacherous and cruel. He was assisting some workmen in building a new house. Three men called upon him and asked for medicine. He went off with them in the direction of Wooster's, the missionary, who keeps medicine, about three hundred yards from Boudinot's: when they got about half way, two of the men seized Boudinot, and the other stabbed him; after which the three cut him to pieces with their knives and tomahawks. This murder taking place within two miles of the residence of John Ross, his friends were apprehensive it might be charged to his connivance; and at this moment I am writing, there are six hundred armed Cherokees around the dwelling of Ross, assembled for his protection. The murderers of the two Ridges and Boudinot are certainly of the late Cherokee emigrants, and of course adherents of Ross; but I cannot yet believe that Ross has encouraged the outrage. He is a man of too much good sense to embroil his nation at this critical time; and, besides, his character, since I have known him, which is now twenty-five years, has been pacific.

General Arbuckle has invited all the principal men of both parties to meet in council to-morrow at Fort Gibson, to endeavor to effect a reconciliation: if it prove successful I will inform you. I have deemed it to be my duty to make this communication at this time, lest these horrid transactions in the Cherokee nation should be misrepresented. Ten of Ridge's friends called on me yesterday. They say they know many of the murderers of their friends, but they would not disclose to me the names of any, although there were several of my old friends and acquaintances among them. I am glad of one thing: I am on terms of friendship with all parties, and they all agree that there is no intention to injure or disturb any of the white citizens of the United States.

I am, sir, with great respect, your obedient servant,

M. STOKES,
Agent for Cherokees.

The Hon. J. R. POINSETT, *Secretary of War.*

Boudinot's wife is a white woman, a native of New Jersey, as I understand. He has six children.

The wife of John Ridge, jr., is a white woman, but from whence, or what family left, I am not informed. Boudinot was in moderate circumstances. The Ridges, both father and son, were rich. This is added for the sake of their friends.

M. STOKES.

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(1).

TAKUTTOKAH, *June* 15, 1839.

SIR: The national council has called upon the chiefs, requiring of them to notify you that the nation stands in great need of their public funds; having for several years been without such moneys, the nation has not been able to meet its public expenses. You will please therefore to call

on the proper authorities of the United States Government for all the moneys which may be due the Cherokee nation; that is, the interest money due on the national annuity commuted, arising from treaty stipulations.

If there are any other moneys due the nation, it may be included.

Yours respectfully,

JOHN BROWN,
JOHN LOONEY,
JOHN ROGERS,
Chiefs Cherokee Nation.
WM. THORNTON,
Clerk National Council.

Governor M. Stokes,
United States Indian Agent.

A true copy.

M. STOKES,
Agent for Cherokee Nation.

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(2).

Takuttokah, Cherokee Nation,
June 19, 1839.

Sir: The national council has on this day been dismissed, without being able to do any thing apparently to the satisfaction of Mr. Ross and his party; nothing more has been done between the parties than when General Arbuckle and yourself were here. The national council has endeavored to do all it could for the complainants; and nothing it appears can be done without infringing upon the rights of the people; the national council has therefore determined to respect the laws and Government of the nation, and likewise the welfare of the people. We address you these lines for your information, believing it necessary, as you are the agent for the Cherokees and the United States Government, and also believe such information will be satisfactory. We have called the people together, telling them that the national council has been dismissed; and telling them that they have been made welcome in the country; that the laws are equally for the benefit of all, and hope we shall all part in peace.

Respectfully yours,

JOHN BROWN,
JOHN LOONEY,
JOHN ROGERS,
Chiefs Cherokee Nation.
WM. THORNTON,
Clerk National Council.

Governor M. Stokes,
Agent for Cherokees.

A true copy.

M. STOKES,
Agent for Cherokee Nation.

(3).

TAKUTTOKAH COUNCIL GROUND,
June 21, 1839.

SIR: We deem it our duty to address you on this occasion, for the purpose of communicating the result of this general council. You are aware that the objects for which it was convened were to effect a union of the eastern and western Cherokees, and to take measures for remodelling their Government and laws so as to meet the exigencies of both branches of the Cherokee family, and to provide equally for the tranquillity and permanent welfare of the whole people. But we regret to say that the reasonable propositions submitted to the consideration of the representatives of our western brethren, have not been received by them in a manner compatible with the wishes of the whole people. They require the unconditional submission of the whole body of the people who have lately arrived, to laws and regulations, in the making of which they have had no voice. The attempt of a small minority to enforce their will over a great majority contrary to their wishes, appears to us to be a course so repugnant to reason and propriety that it cannot fail to disturb the peace of the community, and to operate injuriously to the best interest of the nation.

We are not without hopes, however, that every thing will yet be amicably settled. The sense of the people who form a branch of this general council, has been expressed on the subject. They deem it essential to the welfare of the nation that the desired union should be formed, and equal and wholesome laws established, by which the general prosperity and happiness of the country may be promoted: and to carry their wishes into effect they have called a national convention of the eastern and western Cherokees, to meet at Illinois camp ground on Monday, July 1, 1839. Under these circumstances, we feel it due to the interest of the late emigrants, as well as to all concerned, to request, through your official authority, that no disbursements of moneys due to those whom we represent, nor any other business of a public character affecting their rights, be made or transacted by the agents of the Government, with any other Cherokee authority than the undersigned, until a reunion of the people shall be effected.

We have the honor to be, sir, very respectfully, your friends and brothers,

JOHN ROSS,
Principal Chief.
R. TAYLOR,
President of the National Committee.

G. W. Gunter,	J. D. Wofford,
Thomas Foreman,	George Still,
Hair Conrad,	Old Fields,
George Hicks,	Na hor lah,
William Proctor,	Chu noo-la-hus-kee,
James Hawkins,	Cul-sa-te-hee.

Governor M. STOKES, *United States Agent.*

A true copy.

M. STOKES,
Agent for Cherokee nation.

No. 5.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, June 26, 1839.

SIR: I have the honor herewith to transmit, for the information of the Government, documents from (1) to (7), in relation to the late outrages committed in the Cherokee nation.

By invitation from several of the chiefs, I attended a Cherokee council, which assembled early in this month, for the purpose (as I understood) of entering into some arrangements with the late emigrants that would be satisfactory to the whole Cherokee people. It was perceived by their agent (who was present) and myself, that there was a difficulty existing between the old settlers and the late emigrants, which was likely to prevent a reunion of the Cherokee nation. We exercised what influence we could to induce them to come to a friendly understanding. Nothing, however, was effected, the old settlers contending that, as their government was elective, the new emigrants would be entitled to vote for officers when vacancies occurred, which they conceived to be a fair participation in the government. The late emigrants wished to have a convention called for the purpose of framing a new constitution for the government of the nation, which was objected to on the part of the old settlers, and the council broke up without any arrangements having been entered into. Soon after the breaking up of the council, (the morning of the 22d,) information was received at this post that John Ridge had been killed. In the afternoon of the same day it was reported that Mr. Boudinot was killed, and on the 23d it was reported that Major Ridge, the father of John, was also killed. From subsequent information received, it appears that the three persons mentioned above were killed on the same day, (22d,) and although John Ridge lived seventy-five miles from this post, news of his death reached here within a few hours of the time it is said he was killed. It will be perceived by Mr. Ross's communication of the 24th instant, that notification has been given that a general convention will be held soon, within a few miles of his residence. I have conversed with some of the chiefs and principal men on this subject, who inform me that the notification has not been general, as they have not been informed of it; and it would appear as though the convention was to be composed principally of the late emigrants. An immediate reunion of the Cherokee nation is absolutely necessary to prevent a civil war. The principal chiefs, Brown, Looney and Rogers, and others, together with their agent, are expected here to day, when it is hoped that some arrangements may be made with them that will give satisfaction to the late emigrants, and prevent the further effusion of Cherokee blood. The Government may rest assured that every effort will be made on my part to restore tranquillity to the Cherokee nation, which, it is hoped, may be effected without further acts of violence being committed.

Messrs. John A. Bell, Star, and Smith, signers of the Ridge treaty, with nine or ten others, who believe they are in danger from the late emigrants, are now at this post, and will leave in a few days in a body, for their mutual protection, and will remain in this manner until such an arrangement is made by the Cherokee nation, or otherwise, as will afford them personal security. I am, respectfully, sir, your obedient servant,

M. ARBUCKLE, *Brevet Brig. Gen., U. S. A.*

To Brigadier General R. JONES,
Adjutant General, Washington city.

(1).

PARK HILL, *June* 22, 1839.

SIR: It is become my painful duty to report to you that I have just heard that Elias Boudinot is killed. Upon receiving intelligence of this unhappy occurrence, I immediately requested my brother-in law, John G. Ross, who, accompanied by Mr. Lenoir and others, to repair to the place and ascertain the facts, with a view of reporting the same to you. They have returned with a message from Mrs. Boudinot confirming the report, with the advice from her, for me to leave home for safety—saying that Stand Watie had determined on raising a company of men for the purpose of coming forthwith to take my life! Why I am thus to be murdered without guilt of any crime, I cannot conceive; therefore, with all due respect, in order that justice may be done, I trust that you will deem it expedient forthwith to interpose and prevent the effusion of innocent blood, by exercising your authority, in order that an unbiased investigation might be had in the matter.

Very respectfully, I have the honor to be, sir, your obedient humble servant,

JOHN ROSS.

Brevet Brig. General M. ARBUCKLE.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

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(2).

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, June 23, 1839.

DEAR SIR: I received your letter of the 22d late last evening, and independent of your express, sent your nephew to you, advising you to retire to this post immediately, provided you did not feel yourself secure at your residence. I greatly regret the murder of Mr. Boudinot, and fear that the report of John Ridge having been killed, is also true; and if so, there is great danger of a civil war being commenced in your nation. With very little delay I have therefore sent an express to the chiefs, John Brown, John Looney, and John Rogers, requesting them to repair to this post with the least delay possible, and judge they may be here by Tuesday next, when it is hoped some arrangements can be made by them, in conjunction with yourself and other principal men of the late emigrants, to put a stop to further acts of violence and outrage. Be so good as to let me hear from you by the return of the express; and believe me, dear sir, with great respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. Gen., U. S. A.

JOHN ROSS, Esq.,
Principal chief of the emigrant Cherokees, Illinois.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

(3).

PARK HILL, *June* 23, 1839.

DEAR SIR: I have the honor to acknowledge the receipt of your despatch of this date, by Lieutenant Porter. Your kind advice through my nephew, to retire to that post, provided I did not feel secure at my residence, was thankfully received; but the propriety of my remaining at home having been determined previous to the arrival of my nephew, I remain yet in that course, believing it more secure here, than in attempting to go to the fort; as there is at this time a party of armed men in this immediate neighborhood, who, by message this day received, hold me accountable for the murder of Boudinot, and are still gathering their forces, for what purpose I know not, unless it be for an attack upon my residence.

A portion of my friends have assembled at my house for the purpose of acting *alone* on the defensive in case of an attack; and would, therefore, again suggest the propriety of your interposition, by sending some of the troops up without delay, to prevent any further difficulty.

I will again repeat that I exceedingly regret the disaster that has happened, and if the report of the death of Ridge be true, I assure you that no one will regret the circumstance more than myself. With regard to the meeting of the chiefs, mentioned in your letter, for the purpose of preventing further acts of violence, it meets my entire approbation; and unless prevented by some providential occurrence, it will afford me pleasure to be present at the time proposed, hoping that some satisfactory arrangements may be made to secure the peace and tranquillity of the people.

Very respectfully, I have the honor to be, sir, your obedient humble servant,

JOHN ROSS.

Brevet Brig. Gen. M. ARBUCKLE,
Head Quarters, U. S. Army, Fort Gibson.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

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(4).

HEAD QUARTERS, 2D. DEPT., W. DIVISION,
Fort Gibson, *June* 24, 1839.

DEAR SIR: A number of the friends of Messrs. Ridge and Boudinot are here. I have advised them of your desire to have a full investigation of the late murders committed in your nation; this, they declare, is all they desire; and they requested me to say to you, that they expect that you will take immediate measures to have the murderers apprehended and brought to trial, agreeably to the laws of the Cherokee nation. Justice to you requires that I should state to you, that they have informed me, that they have heard that some of the murderers are now at your house; if this is the case, I must believe that you are not apprized of the fact, and if, on inquiry, the report made to me on this subject, is correct, the troops sent out will take charge of them, if turned over, and convey them in safety to this post.

I hope you will avail yourself of the opportunity of the command, to visit this post, as I expect the chiefs, named to you in my letter of the 23d instant, will be here this evening, or early to morrow morning.

I am, sir, with much respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq.,
Principal Chief of the emigrant Cherokees, Illinois.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d *Dept.*, *W. Div.*

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(5).

PARK HILL, *June* 24, 1839.

DEAR SIR: Since my communication to you of yesterday's date, by Lieutenant Porter, an additional number of my friends have assembled at this place for the purpose of preventing or repelling an attack upon me, as was reasonably anticipated from the violent threats of personal revenge. I have explained to them fully the contents of your despatch, relating to the proposed meeting at Fort Gibson on to morrow, and the nature of my reply to you. They have, after a conversation among themselves, concluded that it is not advisable for me to proceed to Fort Gibson, without a sufficient escort of armed men to ensure safety, and have determined, as I am informed, that, in consequence of the present position of things, I shall be so accompanied. I have, therefore, deemed it proper to apprize you of this fact, and also to assure you, that no improper feelings on the part of our people towards the Government or its officers, prompts the course they have determined upon, and sincerely hope, with this explanation, that no prejudicial motive will be attributed to such a movement; and I would respectfully suggest, inasmuch as I shall be under the necessity of attending the proposed meeting at Fort Gibson accompanied by my friends in this manner, whether it would not be more advisable that you request the chiefs, and those whom you have requested to attend, to proceed hither, accompanied by yourself, or such of your officers as you may designate, and let the proposed consultation be held here. This, it seems to me, would be calculated to give a more general satisfaction, and, perhaps, lead to a more speedy adjustment of any question involving a difference of opinion or feeling among the Cherokee people. A convention of the people will also take place, by a general notification which has been given, on this day week, within a few miles of this place, for the purpose of effecting a peaceable and brotherly reunion between the former citizens of this country and the late emigrants from the east. In the late unhappy causes which have thrown the country into excitement, there is no question involved which should produce difficulty or alienation of feeling between the late emigrants and the old citizens of this nation; and as there is a probability that no definite and conclusive arrangements will be arrived at previous to the general meeting I have referred to, I submit these things for your consideration. If you still think it best to attend at Fort Gibson to-morrow, I will do so, trusting there will be no excitement or feeling produced by the course my friends have determined upon. I shall not move, however, until your answer is received. If you desire any further information in relation to the subject of this communication, I would respectfully refer you to Messrs.

Charles Coody, Stephen Foreman, and William S. Coody. These have been deputed to visit you for the purpose, if necessary, of conversing more fully upon this, or any other matter upon which you may wish to be informed.

I have the honor to be, dear sir, very respectfully, your obedient humble servant, JOHN ROSS.

Brevet Brig. Gen. ARBUCKLE,
Head Quarters, U. S. Army, com'dg Fort Gibson.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

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(6).

PARK HILL, 24*th June*, 1839.

DEAR SIR: A few hours since, I despatched a communication to you, by Messrs. Coody and Foreman, who, meeting with Major Lear and his escort, returned with them.

In reply to your communication by Major Lear, offering the safety of a conveyance to Fort Gibson, it may, perhaps, be necessary for me to repeat again, that circumstances will not allow me to accept of the kindness of your offer. My reasons will appear more fully from the communication I had already despatched before Major Lear arrived, and which will be handed you by the gentleman above named.

If any of the persons charged with the late murders are here, they are not known to me, nor have they been reported to me; and from the threats which have been made against me personally, I do not know but that I am looked upon as one myself.

Very respectfully, sir, your obedient humble servant,
JOHN ROSS.

Brevet Brig. Gen. M. ARBUCKLE,
U. S. Army, commanding Fort Gibson.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

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(7).

FORT GIBSON, *June* 25*th*, 1839.

SIR: In obedience to your instructions of yesterday, I proceeded with Captain Buchanan, of the fourth infanty, Lieutenant Northrop, first dragoons, and Lieutenants Freeman and Porter, of the fourth infantry, with eighty-six mounted men, to the residence of John Ross, in the Cherokee nation, and communicated to him the object of my visit. He declined my offer to escort him to the garrison, and stated that a number of his friends (I suppose 500) had assembled around him, without his solicitation, for the purpose of protecting him against the violent threats of the friends of Messrs. Boudinot and Ridge; at the same time to act entirely on the defensive against that party. He stated that he had received a message from them, threatening to hold him responsible for the murder of Boudinot, &c.; in which he declared he had not the slightest participation, and if there were any of the individuals,

who had been concerned in the murder of the persons alluded to, about his premises, he was totally unaware of the fact.

I am, sir, very respectfully, your obedient servant,

W. W. LEAR,
Major U. S. Army, commanding detachment.

General M. ARBUCKLE,
U. S. Army, commanding 2d Dept., W. Division.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 6.

Extract from letter of Capt. Wm. Armstrong, acting superintendent, Western Territory, to the Commissioner of Indian Affairs, dated July 2, 1839.

"I arrived here to day by water from my agency. Upon my arrival, I found a number of the old emigrant Cherokees, as well as a portion of the Ridge party, who had come in to see the general, and for protection. The whole nation is in the highest state of excitement. Mr. Ross is in council with his people about eighteen miles from this place. I have written him, requesting that the council progress no further until the whole nation participate in it; unless this is done, the two parties cannot be reconciled. I have pressed the necessity of it upon Mr. Ross. The old chiefs, I believe, will agree to meet in a general council. I have offered to negotiate between the parties; and, in connexion with General Arbuckle, perhaps something may be done, yet I really fear that all our efforts will be unavailing, under such exasperated feelings as both parties now manifest. I have never seen a time on this frontier requiring such vigilance, and the great necessity of a strong military force, as the present. I shall remain until I see an adjustment, or that my presence can no longer avail any thing. I hope to hear from Mr. Ross early to-morrow, and will apprize you as early as possible of the result."

CHOCTAW AGENCY WEST,
July 12, 1839.

SIR: I will endeavor briefly to explain to you the proceedings of the Cherokees, from the time of the late council early in June, called by both parties, up to the termination of my visit a few days since.

The council, as stated, was called by all parties to adopt such rules and regulations as might be deemed proper for the Cherokee nation. I was invited to attend the council, and should have done so but for public engagements otherwise. At this council, as I am informed by General Arbuckle and General Stokes, who were both present, it soon became evident that the parties would not unite. The Ross party proposed to the old settlers, that they would select an equal number from both parties, and adopt a constitution to be submitted to the people; and that, if approved of, the same individuals should proceed on, in convention, to pass laws under the constitution for the Cherokee nation. This proposition was a reasonable one, when the strength of the parties is considered. The old settlers, however, unfortunately rejected the proposition, giving as a reason, that laws as now in existence must stand until the regular meeting in October.

The consequence was, that the council adjourned, after becoming much excited against each other, and the Ridge party joined the old party. Mr. Ross called a convention to meet 1st July on the Illinois, and called upon the Cherokees to attend.

I had the honor to address you from Fort Gibson, in relation to the difficulty between the Cherokees. When I landed at Gibson, I immediately addressed Mr. Ross, requesting him either to adjourn, or postpone his council, in order that the old party might be induced to participate with them, knowing, that, without the parties were united, there could be no adjustment of their difficulties. I received an answer from Mr. Ross, declining to adjourn the council or convention, but requesting me to visit them. This I did. I found about two thousand Cherokee men on the ground. I remained all night; there was nothing like disorder; every thing indicated a friendly feeling; not a drunken Indian was in the camp. I met them in council, and explained to them the object of my visit, and that the old chiefs, with what was called the Ridge party, were at Fort Gibson; that they had now determined to accede to the proposition made by them at the council, to appoint an equal number from each party, and meet in convention, and adopt such a constitution and laws as might be proper for the whole Cherokee nation. To this the Ross council answered that they were then assembled in convention embracing both parties, and were anxious that the old chiefs should unite with them.

There were at this council perhaps a dozen old settlers, neither of whom was either a chief or a leading man. I bore this communication to the old party at Gibson who declined the meeting, stating their unwillingness to meet the council, having no authority to do so. They, however, fixed upon a council to be held on the 22d instant by the old settlers, and such others as might choose to attend, at which the whole subject would be laid before the people. If I can possibly do so, I will attend this council. How this unfortunate difficulty between the Cherokees may eventuate, I am unable to say.

There is the greatest feeling manifested by both parties. At one time I thought an immediate rupture would take place; such was the opinion of General Arbuckle, and indeed every one else.

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I hope the difficulty will be settled between the Cherokees. I have informed them, as well as the other tribes, that until harmony should be restored no money would be paid them; that the state of the country was too unsettled to do so; that they therefore saw the deep interest they had in restoring good order.

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Very respectfully, your most obedient servant,

WM. ARMSTRONG, *Acting Sup., W. T.*

T. Hartley Crawford, Esq.,
Commissioner Indian Affairs.

No. 7.

Fort Gibson, *June* 28, 1839.

Friends and Brothers: We, the undersigned, principal chiefs of the Cherokee nation, have been invited to this post by General Arbuckle, the commandant of the United States troops in this quarter, to take into

consideration matters of the greatest importance to the peace and prosperity of our nation. We have met here in accordance with that invitation.

We have received information that three of our people, or three Cherokees who had been received as citizens of our nation, have been killed, and, it is believed, by some of the late emigrants. This has caused us much sorrow and distress, and we learn further, that other Cherokees are threatened with death wholly, or principally, for their political acts. This is not all we have to complain of, as it would appear from a communication made by John Ross and other principal men of the late emigrants, to General Stokes, Cherokee agent, under date of the 21st June instant, that the late emigrants have called, what they denominate, a convention of the Cherokee nation, on Monday, the 1st day of July next, to establish a government for the Cherokee nation, without the least notice having been given to the undersigned. It must be apparent to Mr. John Ross, and to those who have called this meeting, that these proceedings are altogether irregular, and we feel ourselves bound to protest against all acts that may be passed by the said nominal convention of the Cherokee nation, that may have the effect to impair the free and undisturbed authority of said nation as it existed and was in force before the arrival of the late emigrants, all of whom have been received as friends and as citizens of the present Cherokee nation, and allowed fully to participate and enjoy all the privileges and benefits thereby secured to the people. It was believed that this kind and just treatment on our part, would have been received in the spirit in which it was offered, and that if our present form of government was not altogether satisfactory to our brethren late from the east, they would, at an early period, have an opportunity of having a full share in that government, when the desired change might be made.

The undersigned wish nothing but peace and friendship from their brethren late from the east, but as it appears they are not satisfied, and that mischief has already taken place, the undersigned, in the hope and wish to spare the further shedding of Cherokee blood, will agree to meet their eastern brethren upon the following terms:

That no individual of the Cherokee nation shall be killed hereafter for their former political acts or opinions.

That a convention of the Cherokee nation shall be held at Fort Gibson, in which both parties shall be equally represented, and that the said convention shall have power to remodel the government for the Cherokee nation.

The undersigned do not wish to dictate, or arbitrarily to determine the number of which this proposed convention shall consist, but they believe that sixteen men from each party, of good understanding and approved characters, would be a sufficient number to form a constitution calculated to harmonize and reunite the whole Cherokee people. And that they have power to elect a president. If these propositions are acceded to, it is the sincere belief of the undersigned that it will tend to the re-establishment of peace and confidence in the Cherokee nation, and greatly promote the happiness and prosperity of the people. If these just and reasonable propositions shall be accepted by our eastern brethren, we shall be much gratified; but if they are disregarded, and an appeal to arms be determined on, however much we may deplore the shedding of more Cherokee blood, and the disasters of such a conflict, we, and our friends must meet it, and will meet it as men unwilling to surrender our own rights, or to invade the rights of others.

If we should have the good fortune to hear that these propositions, however uncalled for, are accepted by our eastern friends, we further propose that the convention meet at Fort Gibson, on the 25th of July next, and proceed to consider and decide upon the important matters confided to them.

The undersigned regard it as a respect due to themselves and to the Cherokee people, distinctly to state to the principal men of the late emigrants, that they are not insensible of the indignity offered to the Cherokee government and themselves, by the late outrages and acts committed in the Cherokee nation by the late emigrants, and could not, for any other motive than that given here, thought of making a further concession to them, which they do not conceive they are in justice entitled to.

JOHN BROWN,
JOHN LOONEY,
JOHN ROGERS,
JOHN SMITH,
Executive council.

Witnesses:

M. Stokes, *Agent for the Cherokee nation.*
S. G. Simmons, 1*st Lieut.*, 7*th Regiment.*

John Ross, Esq., and other chiefs or principal men of the emigrant Cherokees.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2*d Dept.*, *W. Div.*

No. 8.

Fort Gibson, *June* 29, 1839.

Gentlemen: We have the pleasure of enclosing, herewith, a communication to you from the chiefs of the Cherokee nation, which we hope will be acceptable to you and your people, who have arrived here of late from the east; as a compliance with the proposition now made to the late emigrants will, at an early period, enable them to enjoy a full participation in the government of the Cherokee nation, when such alterations in that government can be made as will secure justice to the whole nation.

If the proposition now made to you by the old settlers is rejected, we can scarcely doubt that serious difficulties and misfortunes will happen to the Cherokee people at an early period, which we hope you will cordially assist us to prevent. We have done all we could, with the chiefs and others here, to induce them to make the accompanying proposition to you, and which we hope and believe you ought to accept; and that you should, without delay, take measures to prevent the further effusion of Cherokee blood.

A report was received here yesterday that a party of armed Cherokees is now ranging through the country, about Honey creek, with the object of killing three Cherokees, two of them for former political offences, and the other, as it is supposed, for an offence of a personal nature.

We believe that two governments cannot exist in the Cherokee nation without producing a civil war, and are of the opinion that the government that existed before the arrival of the late emigrants, should continue until it is changed in a regular and peaceable manner.

We hope that you will take the proposition of the chiefs into consideration, and make an early decision, as some of the chiefs will remain here until they know the result.

We are, gentlemen, with much respect, your obedient servants,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.
M. STOKES,
Agent for the Cherokee Nation.

JOHN ROSS, Esq., and other chiefs or principal men of the late emigrant Cherokees.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 9.

PARK HILL, *June* 30, 1839.

GENTLEMEN: Yours, with the accompanying communication, by Captain McCall, has been duly received, and is under serious consideration.

We perfectly coincide with your judgment, that two governments cannot, and ought not to exist in the Cherokee nation any longer than arrangements can be made for uniting the two communities, and, in conformity with these views, we have used our best endeavors to bring about this desirable event in a manner which might be satisfactory to all parties, and by which all rights might be provided for, and the peace and well being of the Cherokees permanently secured.

We have claimed no jurisdiction over our western brothers, nor can we consistently with the responsibilities with which our constituents have invested us. We claim to stand on equal ground. We ask for no concessions, nor for any admissions which would be humiliating in the slightest degree.

We have no wish to trample on their laws, nor to disregard their rights. And as a proof that we entertain no such disposition, we have not availed ourselves of the advantages of our superior numbers in our intercourse with them.

When they refused to mingle councils with us for free conversation on our affairs, and requested that our wishes might be reduced to writing, we offered to meet them on equal ground. But our just and reasonable overtures were unconditionally rejected by them, and our communication treated with contempt. We have no disposition, however, to stand upon punctilios. But what are we to understand by the propositions now made? (and even these, rigorous as they are, it appears are yielded with reluctance, through your influence, and at your instance.) Is it required that the late emigrants relinquish all their rights, and appear before the western chiefs in the attitude of suppliants? If such be their wish, and and we know not how otherwise to construe their words, we are compelled to say that we do not believe our brethren, *the western people*, have the least desire to reduce us to so abject a condition. Indeed, they have expressed their sentiments; and in the exercise of their inalienable and indefeasible rights, have appointed a national convention for Monday, July 1,

1839: and for ourselves, we are unable to perceive any irregularity in their proceedings.

They formed an integral branch of the late general council, their acts are perfectly legitimate, and we cannot assume the responsibility of protesting against them, or of declaring them invalid.

It appears to us that the western chiefs, in their communication, blend questions which, in their nature, are altogether separate and distinct, and in so doing, have fallen into glaring inconsistencies; while the eastern Cherokees are denied recognition in the character of a political community, and their representatives are, by the western chiefs, stripped of their official relations to the people; it would seem somewhat out of character to lay on the shoulders of these *private individuals* the burden of controlling the ebullition of public feeling, and stopping the effusion of Cherokee blood; regardless, however, of this inconsistency, we feel forward to use our influence, and to exert our utmost efforts to stay the hand of violence, and to restore tranquillity with the least possible delay.

We have thought it proper to say this much, in advance, by Captain McCall, the subject being still under serious consideration. Entertaining the hope that all excitement may be allayed, and a satisfactory accommodation speedily effected,

We have the honor to be, gentlemen, your obedient servants,

JOHN ROSS,
GEO. LOWRY,
EDWARD GUNTER,
LEWIS ROSS,
On behalf of the Eastern Cherokees.

Brig. Gen. M. ARBUCKLE, *U. S. Army*, and
His Excellency Gov. M. STOKES, *U. S. Agent.*

P. S.—Of the "report of a party of Cherokees ranging through the country, about Honey creek, with the object of killing three Cherokees," we have heard nothing, except what is contained in your letter. But we beg you to be assured that no pains on our part shall be spared to put a stop to all such proceedings.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 10.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 1, 1839.

GENTLEMEN: I have received your communication of the 30th ultimo, in reply to one addressed to you by your agent and myself, under date of the 29th ultimo, and I very much regret that there should be the least difference of opinion between us, and that the late propositions of the chiefs of the established government of the Cherokees in this country appear to

be substantially rejected, as I believe their adoption would at once have quieted the minds of the Cherokee people, and secure at an early period all the eastern Cherokees desire, and I do not believe any other plan can be taken to effect this object; and I can assure you, gentlemen, that I would not regard it proper to offer my opinion to you on this subject, except with the object of restoring harmony and peace between the Cherokee people, as I am fully apprized that I would not otherwise be justified in interfering with the concerns of the Cherokee people.

I have not communicated to the chiefs and others here, your communication (referred to), as I judge it best that they should await the arrival of a communication Captain McCall informed them they would receive from you to-day.

I have taken a copy of the documents sent to me by Mr. Ross; and if it meets his approbation, (of which I wish to be informed by the return of the bearer,) I will transmit them to the Government of the United States, or such of them as relates to the present difficulties in your nation.

I am, gentlemen, with great respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, GEO. LOWRY, EDWARD GUNTER, and
LEWIS ROSS, Esquires,
Acting on behalf of the eastern Cherokees.

P. S.—There is reason to believe, should the eastern Cherokees accept the main propositions of the chiefs of the old settlers, there will be no difficulty in inducing them to meet the eastern Cherokees at the national council ground.

M. A.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 11.

FORT GIBSON, *July* 3, 1839.

SIR: In compliance with your instructions of this date, to put in writing what I was requested by Mr. Ross to say to you on the 30th ultimo, I have the honor to state:

When, on the 29th, I handed him your communication, he informed me he would be enabled to give me an answer to the propositions of the chiefs of the old residents by the next day.

On the 30th, however, he told me the matter was still under serious consideration, and that an answer could not be given before the day following. I informed him I should return this day, and then proposed to him that, inasmuch as an answer was expected by this time, he should address to you, or to the chiefs with you, a note, embracing the substance of what he had already said to me, viz: that he was willing to meet the chiefs of the opposite party in open council, to take them by the hand as friends and brothers, and, in a peaceful manner, to adjust the differences existing between the two parties.

I told him it would be satisfactory to yourself and the chiefs waiting here, to know this much, and that he would send definite answers to their several propositions, (some of which he thought required the most serious deliberation,) as soon as the opinions of the chiefs of his own party could be made up.

To this he consented, and said that you might expect his answer by the evening of the 1st of July.

I have the honor to be, very respectfully, your obedient servant,

GEORGE A. McCALL,
Captain, 4th Infantry.

GEN. M. ARBUCKLE,
Commanding, &c., &c.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 12.

ILLINOIS CAMP GROUND, *July* 5, 1839.

FRIENDS AND BROTHERS: In behalf of ourselves and the people of the eastern and western Cherokees, now in national convention at this place, we affectionately and respectfully invite you, together with the balance of our brethren, to repair to this place without delay, for the purpose of co-operating with us in promoting the peace, tranquillity, and future prosperity and happiness, of our *common country*. In doing this we are actuated by the kindest feelings, and we hope it will be received in the same spirit. We wish nothing but what is strictly equitable and just between man and man. And we flatter ourselves with the belief, that *those desirable objects* can be accomplished by your coming and co-operating with us.

Very respectfully, your friends and brothers,

JOHN ROSS,
Principal Chief of the eastern Cherokees.

GEORGE LOWRY,
GEORGE GUESS, his x mark,
Presidents of Convention.

Vice Presidents.

John Drew,
David Melton,
Tobacco Will, his x mark.
R. Taylor,
Going Snake, his x mark.
Kalsolchee, his x mark.

Committee.

Edward Gunter,
Moses Daniel,
Looney Price,
Young Wolf,
Hair Conrad, his x mark.
Archibald Campbell, his x mark.

Lewis Melton,	George Brewer,	his x mark.
George Hicks,	John Benge,	his x mark.
Charles Coody,	Moses Parris.	

S. Foreman, } *Secretaries.*
W. S. Coody, }

JOHN BROWN, JOHN LOONEY,
and JOHN ROGERS,
Chiefs of the Western Cherokees.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 13.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 8, 1839.

GENTLEMEN: I forwarded to you yesterday a communication from the chiefs of the Cherokee nation, or of the old settlers in this country, by Lieutenant Robinson, who I requested to inform you that Star and other Cherokees, who had claimed protection at this post, had left it on the evening of the 6th instant, with the object, as they informed me, of returning home, and collecting some of their friends, for the purpose of securing themselves from violence, without the slightest intention of injuring any one; and to remain in that state until some arrangement is made which will give them personal security.

In consequence of my efforts to restore peace to the Cherokee people not having received from you the attention they merited, I determined to have no further concern with the present difficulties in the Cherokee nation, unless my duty should imperiously require it; and I much regret, that the information I have received does not justify me in remaining longer silent; it having been reported here last evening, that our citizens on the western border of Arkansas have become alarmed, and are leaving their homes in consequence of the critical state of affairs in the Cherokee nation; and an armed force having passed into that State, as it is reported, and killed Major Ridge, one of your citizens. This has produced a state of things that, you cannot fail to perceive, must be of short duration, otherwise, the most serious consequences may be apprehended on this frontier; and I regard it a duty to call your attention to this subject; and to request that you will, without delay, adopt such measures as you may judge best calculated to quiet the minds of the Cherokee people. If this is effected, the citizens of Arkansas, who have fled from their homes, will no doubt feel secure in returning to them. It was reported here last evening, that it has been determined on at your present council, to kill a large number of your people, for political and other offences. This report, I hope, is destitute of truth.

You are no doubt apprized of the obligations of the Government of the United States to protect the Cherokee nation from domestic strife, and foreign enemies, and you ought not to doubt the fulfilment of these obliga-

tions; or that the United States will permit the Cherokees to make an unnecessary war, which cannot fail to cause the destruction of many American citizens, and their property, without holding them accountable for all expenses and losses occasioned by such war.

Gentlemen: It is believed that it is in your power to restore quiet to this frontier, or to adopt such measures as will inevitably lead to a cruel and destructive war. Therefore, it is hoped, you will, in your wisdom, adopt such measures as will restore peace to your nation, and give security to the frontier of Arkansas; and if you should be so unfortunate as to disappoint my just expectations in this particular, women and children, and others, without regard to what party they belong, will receive at this post, all the protection the military force here can give them.

I request that you will reply to this communication by the return of the express.

I am, gentlemen, with much respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq.,
Principal Chief of the eastern Cherokees, and others.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

IN CONVENTION.

ILLINOIS CAMP GROUND,
July 9, 1839.

SIR: Your communication of yesterday has been received, and its contents carefully noticed. We would also acknowledge the receipt of the communication of the western chiefs, by Lieut. Robinson, and the substance of a note, saying that Star and other Cherokees, who had claimed protection at the fort, had left for their respective homes, where they propose collecting some of their friends for the purpose of securing themselves from violence, "until some arrangement is made to give them personal security."

With regard to the communication from the chiefs, we are constrained to express our regret at their refusal to meet with us at this place, as the present occasion so greatly required it. We further regret that those persons who were at the fort for protection, should have left before they were apprized of the result of the measures which were in progress for the relief of themselves and others. Had they awaited that result, they would, in all probability, have returned to the bosoms of their families, and the society of their friends, without apprehension of danger, or the necessity of collecting "friends for the purpose of securing themselves from violence." We are again compelled to express our regret at that portion of your communication which relates to our treatment of our western brethren, and of your interposition in behalf of the Cherokee people. It never has been our wish or desire to neglect or mistreat any of them; nor are we forgetful of the kindness proffered by yourself, in order to quieting the excitement existing in the country. We are fully apprized of the relation in which we stand to the General Government, and of the high responsibilities under

which you are acting, and we feel assured that with your co-operation, both tranquillity and perfect safety can be secured to the citizens of the United States and the Cherokee people. It has ever been our wish and desire to cultivate the most friendly feelings towards our white brethren, and towards all others. And every reflecting mind must be irresistibly brought to the conclusion (even if there were not paramount considerations) that the weighty and unsettled business between the Government and the Cherokee people forbids the thought of any thing like hostilities on the part of the Cherokees.

We would again repeat, that the citizens of the frontier have no cause of fear from the Cherokees. Of this fact, you can give them the most unqualified assurances. With regard to the report, that it was determined by the council to kill a large number of our people for political and other offences, we can only reply, that a more base and false fabrication never was invented. Our individual attention has been constantly directed to the maturing of measures to stop the shedding of blood, instead of laying plans for carnage and death.

With great respect, we have the honor to be, your friends and obedient servants,

GEORGE LOWRY,
GEORGE GUESS, his x mark. } *Presidents of Convention.*

Vice Presidents.

Going Snake,	his x mark.	Tobacco Will,	his x mark.
James Brown,		David Melton,	
R. Taylor,		John Drew.	

Select Committee.

Edward Gunter,		George Brewer,	his x mark.
Moses Parris,		Lewis Ross,	
Jesse Bushyhead,		Ah-sto-la-dee,	his x mark.
Young Wolf,		Jack Spears,	
Archibald Campbell,	his x mark.	Luney Riley,	
Lewis Melton,		Daniel McCoy,	his x mark.
George Hicks,		Charles Goard,	his x mark.
Looney Price,		Thomas Foreman,	
John Benge,	his x mark.	James Campbell,	his x mark.
Charles Coodey,		S. Foreman,	
De na-lay-wee-stah,	his x mark.		

By order of the convention.

JOHN ROSS.

Brig. General M. ARBUCKLE,
U. S. Army, commanding.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 10, 1839.

GENTLEMEN: I have received your communication of yesterday's date, by which I notice that you appear determined to proceed with your present convention without the Cherokee government (which the late emigrants found here) having appointed a single member thereto. It is the continuance of your convention, as it is now constituted, that gives uneasiness to a considerable portion of the Cherokee people and others; particularly as the representatives or chiefs of the old settlers have offered to meet you in convention at an early period, for the purpose of establishing a new government for the Cherokee nation.

It is not to be understood from the above statement of facts, that I desire to interfere with the concerns of the Cherokee people; or that I have any motive whatever, except the preservation of peace and good order on this frontier. It is, therefore, of no concern to me what measures the Cherokee people may take to form a new government, provided these objects are secured.

I am, gentlemen, with much respect, your obt. servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq.,
Principal Chief of the Eastern Cherokees, and others.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 14.

ILLINOIS, *July* 9, 1839.

DEAR SIR: We received your favor by General Arbuckle's express, and were sorry to hear that excitement had worked itself up to so high a pitch. As no fresh facts had occurred, it is clear that there could be no cause for such a state of feeling. So far as the action of the Cherokees is concerned, their undivided efforts have, from the first, been directed to the maturing of measures for effecting a general pacification; and we are happy, sir, that you are yourself an eye and ear witness to this fact.

With regard to the fears entertained on the frontier, we can assure you that they are altogether unnecessary, so far as the Cherokees are concerned, as measures have been adopted by the general council, which will effectually stop further effusions of blood, and remove all cause of alarm.

We feel grateful for your kind offices to bring the western chiefs to co-operate with us in this work of peace, and regret exceedingly to find that they have been unsuccessful. Their people, however, have taken the matter in hand, and we have little doubt but all matters in controversy will soon be brought to an amicable close. The course of the convention appears more and more to commend itself to the good sense of the western people.

We accept, with gratitude, the kind offer of your aid in the adjustment of our difficulties, and in our efforts to promote tranquillity. We take the

liberty, respectfully, to request the favor of you to remove any misapprehension which may be entertained with the peaceable disposition of the Cherokees.

We thank you for having addressed the Creeks on this subject, and shall be still further obliged by the same favor in regard to the other neighboring tribes.

With great respect, we have the honor to be your friends and obedient servants,

GEORGE LOWRY, } *Presidents of*
GEORGE GUESS, his x mark, } *Convention.*

Vice Presidents.

Going Snake,	his x mark.	David Melton,
Tobacco Will,	his x mark.	R. Taylor,
James Brown,		John Drew.

Select Committee.

Edward Gunter,		George Brewer,	his x mark.
Moses Parris,		Lewis Ross,	
Jesse Bushyhead,		Ah-sto la-dee,	his x mark.
Young Wolf,		Jack Spears,	
Arch. Campbell,	his x mark.	Luney Riley,	
Lewis Melton,		Daniel McCoy,	
George Hicks,		Charles Goard,	his x mark.
Looney Price,		Thomas Foreman,	
John Benge,	his x mark.	James Campbell,	his x mark.
Charles Coodey,		S. Foreman.	
Dee-nah-lay-wee stah, his x mark.			

By order of the convention.

JOHN ROSS.

Major Wm. Armstrong,
Superintendent of Indian Affairs.

Choctaw Agency West, *July* 20, 1839.

Sir: I enclose you a copy of a letter received from Mr. Ross's council, in answer to one addressed by me from Fort Gibson. The letter seems pacific, but entirely avoids the point I insisted on, to meet the western chiefs on the 22d, or to make provision at the council now in session, provided they adjourned before the 22d, to meet what may be done by the western Cherokees to settle the present difficulties. You will see that Mr. Ross feels authorized to proceed on with the few old emigrants that have joined him, consisting of George Guess, who is made president to represent the western Cherokees; Tobacco Will, David Melton, and John Drew, vice presidents; Jesse Bushyhead, Lewis Melton, Looney Price, Charles Coody, Jack Spears, and Luney Riley, select committee. Should the council go on without a union on the 22d, there will be serious difficulties. I understand that Mr. Ross's council have passed a general law, granting a

pardon to the Ridge party for making the late treaty, (for which the two Ridges and Boudinot were killed;) if the others will come in by a certain time, they will be pardoned, if not, they will be declared outlaws; to this, Star, Bell, Stand Watie, West, and others, are determined not to submit; under all the circumstances, if the council of the 22d fail to bring about a reconciliation, and if there is any further killing, there will be a general difficulty between the Cherokees, which, in all probability, may be increased by accession from the Creeks and Seminoles. What course General Arbuckle may adopt, I am unable to say.

I can only use my exertions in a pacific way to reconcile all parties. I shall attend the council on the 22d, and keep you advised, from time to time, of what is doing by both parties of Cherokees.

Very respectfully, your most obedient servant,

WM. ARMSTRONG,
Acting Superintendent, W. T.

T. HARTLEY CRAWFORD, Esq.,
Commissioner of Indian Affairs.

No. 15.

IN CONVENTION.

ILLINOIS CAMP GROUND, *July 24th,* 1839.

SIR: We received your communication of the 22d inst., and also a copy of that to Messrs. Brown, Looney, and Rogers. Your advice to them in regard to the proceedings of this convention, if accepted and followed, will, no doubt, lead to a speedy removal of all misunderstanding, and we conceive those proceedings to be based upon principles so equitable, and reasonable as to justify the belief, that they would at once be approved, if not opposed by counsel of a different tendency.

We deputed a committee from our body to go to the council at the mouth of the Illinois, to report to the people assembled there, the proceedings of the convention, so far as they have progressed. But we were greatly surprised this morning to see the greater number of them return. They had been compelled to retire from the council to escape the massacre of some of their number, by the company of Star, Bell, and others, who appeared there in arms, and who were watching an opportunity to execute their fell purpose. We deem it proper to communicate this to you, because they had placed themselves under your protection, and appear still to consider themselves sustained by your power. This is the ground on which their friends defend their course, and sustain their hopes of success.

It is boasted by them, that you had advised Brown to hold on to his laws, and by no means to give them up, and that they shall be sustained by the forces of the United States, and the people of the nation compelled to submit.

These are things, sir, to which we shall be slow to yield our assent, but as the assertions are made in argument, to sustain the feasibility of the course of these men, we deem it proper that you should know it.

The troubles with which we appear to be threatened, bring forcibly to our minds the statements often made, and the arguments often pressed on the attention of the late emigrants, to induce them to remove to this country.

Here they were to have peace—to have a government of their own choice—to make and to enjoy the benefits of their own laws without interruption, and without control; and those of us who had previously resided in this country, were ready to receive our brethren, and do all in our power to realize the hopes which these declarations were justly calculated to produce. Among the promises and assurances so often repeated, it was never hinted that they were to be reduced to a state of vassalage, to an undefined despotism.

It is well known to you, sir, that the late emigrants are not in this country by their own procurement, but in conformity with the mandate of the United States Government. But they have come in peace, and peacefulness has characterized every part of their conduct in the movements which have brought them here. The toils, and sufferings, and privations, they have endured, cannot be readily estimated.

The loss of property and loss of life have saddened many hearts, made many parents childless, and many children orphans: nor can their wounded and yet bleeding hearts be suddenly healed. And yet, for the sake of peace, all has been borne in silence. Yes, sir, and all their behavior towards the United States, in peace and in war, since the formation of their first connexion, has proved, more forcibly than words can do, their disposition to cultivate the most friendly feelings towards your Government and people. Their confidence in the magnanimity and justice of the United States has been unqualified: and still they are unwilling to relinquish it. And although they have here been treated with much indignity and insult by a portion of our people, we are not yet prepared to believe they are to be deemed intruders, counted as aliens, and punished as rebels, in the country which their great father had assured them should be their *own*.

We were surprised to learn from your communication of the 20th instant, that your apprehensions of hostilities were so strong as to call for the issue of arms and ammunition, and levying forces to repel invasion from the Cherokees. But as we had repeatedly assured you of our peaceable intentions, and you had assented to the sincerity of our declarations, having "no doubt of our desire to preserve peace with the United States, and with our own people," we are relieved from the supposition that it was expected to originate from us. With regard to Messrs. Brown, Looney, and Rogers, having a just agency in the formation of a new government, we can only say such has been our constant desire, as our repeated declarations and invitations evince. But if they will persist in refusing to come to any understanding, and are determined that nothing short of unconditional submission of their mandate can be admitted, we are compelled in a friendly and respectful way, to protest against such usurpation. We have inalienable rights, which we are bound to respect, and which we cannot relinquish, consistently with our sense of duty to ourselves and our families.

With great respect, we have the honor to be, sir, your obedient servants,

GEORGE LOWRY,
GEORGE GUESS, his x mark, } *Presidents.*

Crying Bird, his x mark.	R. Taylor,
James Brown,	Young Wolf,
Lewis Ross,	G. W. Gunter,
Bird Doublehead,	Charles Gourd, his x mark.

Charles Coodey,	Thomas Foreman,	his x mark.
Jesse Busheyhead,	John Benge,	his x mark.
Luney Riley,	Tobacco Will,	his x mark.
Riley Keyes,	Small Back,	his x mark.
Stephen Foreman,	The Bark,	his x mark.
Edward Gunter,	George Brewer,	his x mark.

By order of the convention.

JOHN ROSS.

Brevet Brig. Gen. ARBUCKLE,
United States Army, commanding.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 29, 1839.

GENTLEMEN: Your communication of the 24th instant, was handed to me yesterday, and in reply I have to remark, that I had hoped that my letter of the 22d instant, with the document accompanying it, would have closed my correspondence with you in relation to the difficulties you have produced in the Cherokee nation, as an examination of the paper referred to, and my previous communication to you, cannot fail to show my strong desire to see peace and friendship restored to the Cherokee people, and it will not be found that I am in the habit of giving *counsel* different from what is contained in my public communications.

The chiefs of the Cherokee nation have informed me of a number of your committee having left their council, and expressed their regret that they should have taken alarm from idle reports. Be this as it may, it cannot be doubted that the killing of the Ridges and Boudinot, and the proceedings of your convention, have greatly dissatisfied many individuals of the Cherokee nation, who might, under their present excitement, commit the greatest outrages.

In relation to promises made to Bell, Star, and others, who claimed protection at this post for a short time, you are already fully informed; and as respects the boast attributed to them, of my having advised Brown to hold on to his laws, and by no means to give them up, and that they shall be sustained by the forces of the United States, the documents now in your possession fully establish the falsehood of this statement, without regard to (with) *whom* it may have originated.

You say much of the trouble with which you are threatened, and hint that you are not permitted to enjoy your own laws in this country, agreeably to the promises made to you before your departure from the east. If you have any difficulties in this respect, you have created them yourselves, as the chiefs of the Cherokee Government you found here have repeatedly offered to meet you in convention for the purpose of forming a new Government, and thereby (as the late emigrants are more numerous than the old settlers) to give you up the offices. What more could you reasonably desire? Have you accepted their propositions, or have you determined,

without the agency of that Government, to establish a Government for the Cherokee nation, thereby declaring that you will not accept the offices from the existing Government of the country, which are offered to you, but that you will take them? This is the positive state of affairs in the Cherokee nation, so far as I understand them; and in order that further and greater violence than has already taken place may not happen, you will notice (by my letter to the chiefs of the 22d instant) that I have urged them in substance to yield to your will and pleasure; yet, I can assure you that I have no certainty that they will comply with my recommendation; and, if not, and your present course to obtain power, which you could obtain in a peaceable manner, is continued, it is uncertain to what measures you may drive the old settlers, or compel them, and others, to adopt in defence of ther Government and rights.

It would appear that you are surprised, that a portion of the citizens of Arkansas has been armed and equipped for the defence of their frontier, in consequence of the state of affairs in the Cherokee nation. I earnestly hope that there will be no occasion for them to leave their homes. This you can render necessary, or otherwise, as you think proper; not that you may have the least desire ot going to war, but that your course may be so unjust and oppressive to others that it will not be submitted to. And finally, you have charged the old settlers, or chiefs, with usurpation. The facts above given will tend to show to whom that charge applies.

Gentlemen, I can assure you that in order to ensure the continuance of peace in the Cherokee nation, and on this frontier, I deem it necessary that the change of Government you have commenced be speedily terminated in a peaceable manner; and it is clearly shown, by this communication, that you have the power of doing so if you desire it.

I am, gentlemen, with much respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

John Ross, Esq., and others, in convention at Illinois camp ground.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 16.

Head Quarters, 2d Dept., W. Division,
Fort Gibson, August 4, 1839.

Gentlemen: You will herewith receive a copy of my communication of this date, to the chiefs of the Cherokee nation, in relation to their recent proposition to you, which I confess is not as well understood by me as I could wish, or in strict accordance with the first proposition made to you by the chiefs, on this subject; yet I must believe that the meeting of the representatives of the eastern and western Cherokees, at this post, would result in securing to the former all they desire, and giving quiet to the Cherokee people.

You are already apprized of what I regard just to the late emigrants, which I will continue to urge in their favor, and in the event you accept the proposition made to you by the old settlers, and Mr. Ross should desire to attend the convention, he may be assured that he will not (at this post) require a guard of his own people to give him personal security.

I am, gentlemen, with much respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq., and others, in convention at camp ground, Illinois.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

GENTLEMEN: The national council has, by order of the chiefs, appointed a select committee of fifteen men, to meet the same number appointed by yourself and the emigrants lately come to the country.

The two committees thus selected, to meet and devise such means, and come upon such terms, as will settle all the difficulties and differences existing between the said emigrants and the old settlers, and such others as are under the laws of the nation. Whatever the committees come upon, will be laid before the national council and chiefs for their consideration and approval, before the terms shall be binding. The committee to meet at Fort Gibson, as soon as possible.

Messrs. JOHN ROSS, and others.

August 3, 1839.

SIR: For your information we transmit this to you, and from what we understood from you when there, it is expected you will make preparations to board the committees. Please let us know if you can do it.

In haste, respectfully yours,

JOHN BROWN,
JOHN LOONEY,
JOHN ROGERS,
Chiefs Cherokee Nation.

Gen. ARBUCKLE.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 17.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, August 14, 1839.

SIR: I have the honor herewith to transmit, for the information of the Government, documents, from 1 to 6, in relation to the state of affairs in the Cherokee nation, which, for the present, or for a short time, may remain without further violence being committed; yet as the government of the Cherokee nation heretofore (or the old settlers) have made repeated propositions to Mr. Ross, or the late emigrants, to unite with them, which have been rejected, they, you will perceive, desire to be protected in the undisturbed exercise of their laws, as they existed before the late emigrants arrived.

Mr. Ross and his party, it will be noticed, claim to be a distinct community, and, if they do not attempt to control the whole of the Cherokee nation, will not permit the old settlers in any way to control them; therefore, as they are all settled together, this state of things cannot long exist without further violence taking place, and it is, therefore, necessary that the Government should take such measures as may be judged best, to effect a union between the parties, as it will be seen that other agents of the Government and myself have done all that we could, *with propriety*, to effect this desirable object, without success.

I am, sir, very respectfully, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

Brigadier General R. Jones,
Adjutant General, Washington city.

IN CONVENTION.

Convention Ground, *August* 6, 1839.

Friends and Brothers: From your letter of the 6th July, we were given to understand that you were desirous to meet us, and to see unity and harmony prevail among the Cherokees: and that the meeting at the mouth of the Illinois was called for the specific purpose of consulting a portion of the people of the old settlers on the subject of your attending and co-operating with the convention, in maturing and establishing a government for the security and happiness of the Cherokee people.

Being desirous to afford every facility for a clear understanding of the subject, we sent a committee to your council, with the proceedings of the national convention, so far as they had been definitively acted upon; and notwithstanding the treatment received by that committee, which compelled the greater number of them to retire from the council, we sent down another communication, to which, as well as to the document in their hands, your attention was called by the remaining members of the committee. But after waiting many days, they returned, without receiving from you any answer or any notice whatever.

The communication prepared by your order, dated August 2d, 1839, which is now before us, makes no mention of our committee, nor of the documents of which they were the bearers.

And from the intentions avowed in that paper, it clearly appears to be your desire to deprive us of the rights and privileges of freemen, and to assume for yourselves powers incompatible with the liberties of the Cherokee people.

We cannot consent to appoint a committee to meet you at Fort Gibson, on the terms proposed, because the people are allowed no voice in the matter. We are now acting in national convention, in the exercise of our primary and plenary powers as a people: and we cannot agree to surrender these inherent rights.

The only question which we consider open for discussion and settlement is, the government and laws which shall be established on the basis of the union of the old and late emigrants. And if you will but seriously reflect on the great importance and necessity of speedily bringing this question to

a close, you cannot fail to see, that on our part we have done and said every thing in our power to induce you, as brethren, to come forward and co-operate with us in our deliberations in convention at this place, where every necessary preparation has been made for the accommodation of the people.

There can be no reasonable objection to meeting us here. It is unnecessary to propose a meeting at any other point, as such a change would be attended with much inconvenience, trouble, and expense. Hoping, that on further reflection, you may determine on the expediency of coming up and co-operating with us, we conclude by assuring you of a kind and brotherly reception, and by making the following proposal, viz, that this convention appoint a committee, to meet that appointed by you, at this place, on the 12th instant, to devise measures for the settlement of existing differences, and forming a system of government providing for the protection of the Cherokee people in the enjoyment of all their rights; and that the proceedings of the said committee be laid before the people for their action.

We remain your friends and brothers,

GEO. LOWRY, *President.*
GEO. GUESS, &c., &c., &c.

By order of the convention.

JOHN ROSS.

Messrs. BROWN, LOONEY, and ROGERS.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

IN CONVENTION.

CONVENTION GROUND, *August* 7, 1839.

SIR: We, the people of the Cherokee nation, in national convention assembled, have the honor to acknowledge the receipt of your communication of the 4th instant, with the accompanying copy of your letter to Messrs. Brown, Looney, and Rogers. Our answer to their communication to us, of the 2d instant, a copy of which you will herewith receive, will put you in possession of our views of that document, and also of our earnest desire, by just and honorable means, to bring the present difficulties to an amicable close.

From the tenor of your communication of the 29th ultimo, we were not disposed to press that correspondence, which you were desirous should be discontinued, and for that reason it has not been replied to; but the receipt of yours of the 4th instant having renewed the correspondence, we feel it due to ourselves to notice certain paragraphs in yours of the 29th ultimo. The charge of having produced the existing difficulties among the Cherokees, we can by no means admit. And, for proof of our desire to *remove difficulties*, and to promote peace and friendship, we appeal, with confidence, to our communications and to our conduct, which have been uniformly peaceable and conciliating. With regard to offers to meet the emigrants, the only offer made, besides that of the 2d instant, was that by Messrs. Brown, Looney, and Rogers, to meet at Fort Gibson, on the 25th July; and that was so unreasonable, so indefinite, and in other respects, so inappropriate, that it can hardly be viewed as a serious proposition; unless it was intended that their voice alone should be heard in the matter.

The late emigrants had no desire whatever, that the old settlers should "yield to their will and pleasure," but that both parties should meet in the full possession and enjoyment of all their powers and prerogatives, and without yielding up any right, or destroying any thing that was valuable in the institutions or resources of either, to combine the virtue, and wisdom, and advantages, of both, and to render the whole available to the general welfare.

But this desire was not reciprocated. At the general council, composed of the chiefs, councils, and people of both communities, at Ta-ka-to-ka, every movement of the emigrants towards effecting a union was repulsed by the western chiefs; and no proposition was made by them, on the part of the old settlers. The result was, a failure to effect the object for which the council had been convened.

The people who formed a constituent branch of that council, being dissatisfied with the failure of their representatives, passed resolutions expressive of their sentiments, and called a general council of the people, of both parties, to meet in national convention, on the 1st day of July, 1839, which convention assembled accordingly. The call of the people, under which this convention has assembled, invites the attendance of the chiefs of both parties, with the members of their respective councils. They were invited by a committee, composed of respectable men of both parties. They were invited by message from the convention, through the politeness of Captain Armstrong; and also by a special letter from the convention, and since the meeting of the council at the mouth of Illinois, the same invitation has been pressed on their attention by a committee from this convention, of whose treatment, and the reasons for their return, we had the honor to report to you on the 24th ultimo, from unquestionable authority, which has since been fully confirmed.

Every thing in the way of courtesy and respect has been done, to induce their attendance and co-operation in the important business of providing for the good government and peace of our people, but all has been disregarded.

We assure you, sir, that we are equally solicitous with yourself, that the government of the nation be speedily and peaceably established.

You will perceive, sir, that we have made a proposition to Messrs. Brown, Looney, and Rogers, to meet their committee, on the principles you recommend, which we hope their good sense, and their desire for the happiness of the people, will induce them to accept.

With much respect, we have the honor to be, sir, your obedient servants,

GEO. LOWRY, *President*.

Geo. Guess,	his x mark.	Crying Bird,	his x mark.
Edward Gunter,		Charles Coody,	
Young Wolf,		Stephen Foreman,	
Moses Parris,		Tobacco Will,	his x mark.
Thomas Foreman,		Archd. Campbell,	his x mark.
Geo. Brewer,	his x mark.	Richard Taylor,	
Small Back,	his x mark.	James Brown,	
The Bark,	his x mark.	John Benge.	

By order of the convention.

JOHN ROSS.

Brevet Brig. Gen. ARBUCKLE,
United States Army, commanding.

True copy. S. G. SIMMONS, *A. D. C. and A. A. Adj. Gen., 2d Dept., W. Div.*

No. 18.

TULLUNTUSKY, *August* 9, 1839.

SIR: It is known to you that the western Cherokee nation has existed many years, as an organized Government, that we have been recognised as a body politic by the Government of the United States, and that the said Government has, by treaty, engaged to protect and sustain us in the enjoyment of our rights and in the execution of our laws; it is also known to you that we have, in our national capacity, expressed our willingness to receive into our country, under the protection of our laws, and to a full participation in all our rights and liberties, any of our brethren who might be disposed to emigrate from the land of our fathers, and seek a permanent home with us; and that since the treaty of 1828, many hundreds of our brethren have availed themselves of the liberal overtures we have held out to them, and have settled in our country. All these have been received by us as brothers, and have fully participated with us in the enjoyment of all our rights and privileges.

The individuals who are known as the treaty or Ridge party, following the example of previous emigrants, have submitted to the government and laws as already existing in our nation; accordingly they have been cordially received by us, and enjoy with ourselves, the protection of our laws, and all the rights and privileges of the nation.

It is also known to you, that the numerous party who lately emigrated to our land, under the conduct of Mr. John Ross, late principal chief of the eastern Cherokee nation, have refused to submit to our government and laws. It is further known to you, that individuals of that party lately committed a most savage murder upon the persons of three of our most useful citizens.

It is also known to you, that we have made the most pacific overtures to these our brethren, and that we have neglected no means or efforts to effect an amicable union with them; we regret extremely that we are compelled to say, that all our efforts for peace and union with this party have been unavailing.

We now, therefore, make our appeal to you, and through you to the Government of the United States, to ask that we may be sustained in the enjoyment of our rights, and in the execution of our laws, and that the lives and liberties of all our citizens may be protected from violence and disturbance, as promised to us by treaty.

JOHN BROWN,
JOHN LOONEY,
JOHN ROGERS,
Chiefs Cherokee Nation.
WM. THORNTON,
Clerk of the National Council.

Captain WM. ARMSTRONG,
Superintendent of Indian Affairs.

No. 19.

CONVENTION GROUND, CHEROKEE NATION,
August 27, 1839.

SIR: A copy of a communication to you, from Messrs. John Brown and John Rogers, is before us, and has received our deliberate attention.

In that communication they have assumed a position unwarranted by the laws and usages of the Cherokee people, unbecoming the relations subsisting between the two branches of the Cherokee family, and disapproved by the "old settlers" whom they profess to represent.

The arrival of the eastern Cherokee nation in this country, formed so important a crisis in the affairs of the Cherokees, as by universal consent to require a union of the two communities, and such a remodelling of their government and laws, as would meet the exigences of their condition, and the feelings and expectations of the people, on both sides, were such as to forbid the anticipation of any difficulty in accomplishing a measure so evidently beneficial.

The course of these persons has been the very reverse of their professions. So far from having "neglected no means or efforts to effect an amicable union," they have used their utmost exertions to prevent its accomplishment. At Ta-ka-to-ka, every effort towards effecting that object was repulsed by them. When the people expressed their disappointment and dissatisfaction at the result of that council, and called a convention of the people of both parties, the attendance and co-operation of their chiefs, and the members of the respective councils, was required. But Brown and Rogers declined to attend, and used all their influence to dissuade others from attending also. And at a council called by themselves at Tulluntusky, for the declared purpose of consulting with the people of the "old settlers," on the subject of attending the national convention, they continued to repel every effort of the late emigrants, and of the "old settlers," to induce their friendly co-operation with the people; but in total disregard to the opinions or the voice of the people, they have, without their consent, made this inapposite appeal to the Government of the United States.

But what is the intention of their appeal? Do they mean to ask that the Cherokee people be subjected to their domination by the sword of the United States? The question being one of a purely internal character, the only tribunal competent to adjudicate their case would be the people of their own community. But the principles of justice, as well as the relations subsisting between the United States and the Cherokees, would forbid the Government from adopting a measure of the kind invoked.

We, therefore, respectfully enter our solemn protest against it. We consider this appeal as utterly inappropriate and uncalled for, and as equally a violation of the rights and liberties of the Cherokees, and an imposition on the Government of the United States. As a further illustration of the value which ought to be attached to this appeal, and in proof of the non-existence of circumstances requiring the protection invoked, we respectfully refer to the proceedings of the council of the people of the "old settlers," in reference to the conduct of the appellants.

Your request that we should use every exertion to preserve peace and harmony in the Cherokee nation, is in perfect consonance with our own

feelings. Measures have already been adopted to secure that desirable result, and we trust the amicable union which has been formed between the two branches of the Cherokee people, will give permanency to the tranquillity and prosperity of the country.

We have the honor to be, sir, your obedient servants,

GEORGE LOWRY, *President.*
GEORGE GUESS, his x mark,
Vice President.

Hair Conrad,	his x mark.	Geo. Hicks,	
Major Pullum,	his x mark.	Elijah Hicks,	
Young Elders,	his x mark.	Young Wolf,	
Sul-lee-tee-skee-watts,	his x mark.	Luney Riley,	
Oo-le-nah-wah,	his x mark.	John Spears,	
Tah-luh-see-nee,	his x mark.	Thomas Candy,	
Kee-nah,	his x mark.	Aaron Price,	his x mark.
Logan,	his x mark.	Tobacco Will,	his x mark.
W. S. Coody		Jas. Spears,	his x mark.
Thos. F. Taylor,		Turtle Fields,	his x mark.
Edward Gunter,		Archibald Campbell,	his x mark.
R. Taylor,		Bark Flute,	his x mark.
W. S. Adair,		Warhatcha Glass,	his x mark.
Jesse Bushyhead,		Crying Buffalo,	his x mark.
John Drew,		John Benge,	his x mark.
Thomas Foreman,		George Brewer,	his x mark.

By order of the national convention.

JOHN ROSS,
Principal Chief.
JOHN LOONEY, his x mark,
Acting Principal Chief.

Captain WM. ARMSTRONG,
Superintendent of Indian Affairs.

True copy, original retained in this office.

THOMAS IRWIN, *Clerk.*

No. 20.

Whereas, the entire removal of the Cherokee people, from their ancient homes to this country, forms an important crisis in their affairs, and which renders a reunion of the two portions of the people thus brought together, indispensable to their general welfare :

And whereas, the most sanguine expectation was cherished that such union would be speedily effected, and a system of government established with just and equitable laws, adapted to the present condition of the whole people :

And whereas, a general council, by joint call of the authorities of both communities, was appointed for that purpose, at Ta-ka-to-ka, which met on the 3d day of June last; but the design of which council was defeated by the improper course of Messrs. John Brown and John Rogers, in reference to the objects for which said council was convened :

And whereas, they have continued to oppose the friendly reunion of the two parties, which was so generally desired and expected, and, by misrepresenting the views and wishes of the late emigrants, have endeavored to create estrangement and misunderstanding, and party feeling, and have, under various pretexts, refused to meet the late emigrants, and exerted their influence to keep back the people of the "old settlers" from meeting them for friendly conference on this subject, in which the interests and happiness of the whole people are so deeply concerned:

And whereas, they called a council at Tulluntusky on the 22d July, 1839, for the avowed purpose of consulting with the people in reference to their attending the national convention, and co-operating with the people in maturing and establishing a Government suited to their condition; but, instead of adopting any measure tending to union and the promotion of the general welfare, they have repelled every such effort, both of the late emigrants and of the old settlers, and have evinced their sole object to be, to fasten themselves on the Cherokee people as chiefs, and to exercise arbitrary authority, without regard to their voice or the general welfare:

And whereas, in identifying themselves with those individuals known as the Ridge party, who, by their conduct, have rendered themselves odious to the Cherokee people, they have acted in opposition to the known sentiments and feelings of that portion of this nation known as Old Settlers, frequently, and variously, and publicly expressed:

And whereas, their appeal to the United States, dated "Tulluntusky, August 9, 1839," on behalf of the old settlers, to be sustained in the enjoyment of their rights, and in the execution of their laws, is altogether uncalled for, and unauthorized by the people of this nation, and an outrage upon their rights: Therefore,

Resolved, by us, the undersigned citizens of the Cherokee nation, known as *old settlers*, in council assembled, that the aforesaid John Brown and John Rogers have acted in a manner unworthy of the office of chiefs, and have assumed powers incompatible with the liberties of the Cherokee people, and, in various instances, have perpetrated acts unauthorized by the laws and usages of the nation.

Resolved, That the said John Brown and John Rogers have, by their unworthy and unlawful conduct, betrayed the trust reposed in them, and forfeited the confidence of the Cherokee people: and, therefore, we, as "old settlers," in the exercise of our inalienable rights, do collectively and individually declare our disapprobation of their conduct.

Wherefore we, the people of the western Cherokee nation, in national council assembled, in our own name and by the authority, and in the exercise of our primary and plenary powers, do, for the causes herein set forth, depose and remove the aforesaid John Brown and John Rogers from the office of chiefs of the western Cherokee nation; and by the authority aforesaid, the said John Brown and John Rogers are hereby deposed, and disqualified from exercising, in any manner, the powers and functions of chiefs of the Western Cherokee nation.

In testimony whereof we affix our signatures. Done at the convention ground, this 23d day of August, 1839.

JOHN LOONEY, his x mark, *President*.

GEORGE GUESS, his x mark, } *Vice Presidents*.
TOBACCO WILL, his x mark, }

Young Wolf,		Isaac Bushyhead,
George Brewer,	his x mark.	Charles Coody,
Pheasant,	his x mark.	Big Pheasant,
David Melton,		Aaron Price,
Thomas Candy,		Major Pullum,
Moses Parris,		Young Elders,
Lewis Melton,		Deer Tract,
Wasp Emory,	his x mark.	Turtle Fields,
Watt Graves,	his x mark.	Salahteskee,
Talahsewe,	his x mark.	W. P. Davis,
Jesse Russell,	his x mark.	The Eagle,
Kenah,	his x mark.	Crying Buffalo,
Robert Brown,	his x mark.	July,
Beaver Tail,	his x mark.	Daniel R. Coody,
Ash-toletah,		Riley Keys,
John Drew,		Lewis Keys.
Jesse Wolf,		

And others of "old settlers," whose signatures are too numerous to be copied, (upwards of two hundred.)

True copy, original retained in this office.

THOMAS IRWIN, *Clerk.*

CHOCTAW AGENCY WEST,
September 3, 1839.

SIR: I had the honor to enclose you, on the 27th August last, a communication from John Brown and John Rogers, chiefs of the western Cherokees; since which I have received from John Ross the enclosed. from which you will perceive that a portion of the old settlers have deposed the old chiefs Brown and Rogers, and are acting in concert with Ross's council: also, that a formal protest is made by the council against any decision being made by the United States, to whom the "old settlers" had appealed. What course the old chiefs will take I am unable to say. Brown is a firm, determined man, and, I should judge, would not submit to what a very small portion of the old settlers have done, a portion of whom are the relatives or immediate friends of Ross.

Mr. Ross never, in any communication, seems to recognise the late treaty in any form; yet he appears very desirous to have the money paid under it. I have visited the parties several times, and have used every exertion to preserve peace. I was fully aware of the exposed situation of our own people, and the weak force on the frontier, as well as the great danger of the Creeks and Seminoles entering into the contest. I yet think it very probable that there will be difficulty. If Ross denies the treaty, it would seem useless to be paying such large sums of money. The situation of the treaty party is most uncomfortable; they are in great danger; they have either been embodied since the murder of the Ridges and Boudinot, or taken refuge in Arkansas.

I have forwarded most of the papers in relation to the controversy to the department; these, together with what General Arbuckle has sent to

the Adjutant General's Office, will enable the Government to understand the whole difficulty.

Very respectfully, your most obedient servant,

WM. ARMSTRONG,
Acting Superintendent, W. T.

T. Hartley Crawford, Esq.,
Commissioner of Indian Affairs.

No. 21.

Whereas, our fathers have existed as a separate and distinct nation in the possession and exercise of the essential and appropriate attributes of sovereignty, from a period extending into antiquity, beyond the records and memory of man; and whereas, these attributes, with the rights and franchises which they involve, remain still in full force and virtue, as do also the national and social relations of the Cherokee people to each other and to the body politic—excepting in those particulars which have grown out of the provisions of the treaties of 1817 and 1819, between the United States and the Cherokee nation, under which a portion of our people removed to this country and became a separate community. But the force of circumstances having recently compelled the body of the eastern Cherokees to remove to this country, thus bringing together again the two branches of the ancient Cherokee family, it has become essential to the general welfare that a union should be formed, and a system of government matured, adapted to their present condition, and providing equally for the protection of each individual in the enjoyment of all his rights.

Therefore we, the people composing the eastern and western Cherokee nation, in national convention assembled, by virtue of our original and inalienable rights, do hereby solemnly and mutually agree to form ourselves into one body politic, under the style and title of the Cherokee Nation.

That in view of the union now formed, and for the purpose of making satisfactory adjustments of all unsettled business which may have arisen before the consummation of this union, we agree that they shall be settled according to the provisions of the respective laws under which they originated, and the courts of the Cherokee nation shall be governed in their decisions accordingly. And also, the delegation authorized by the eastern Cherokees to make arrangements with Major General Scott for their removal to this country shall continue in charge of that business with their present powers until it shall be finally closed.

And also, that all rights and title to public Cherokee lands on the east or west of river Mississippi, with all the public interests which may have vested in either branch of the Cherokee family, whether inherited from our fathers or derived from any other source, shall henceforward vest entire and unimpaired in the Cherokee nation as constituted by this union.

Given under our hands, at Illinois camp ground, this 12th day of July, 1839. By order of the national convention.

GEORGE LOWRY,
President of the Eastern Cherokees.
GEORGE GUESS, his x mark.
President of the Western Cherokees.

R. Taylor,	Tobacco Will,
Te-ke-chee-lar-kee,	Daniel Melton,
V. P. of the Eastern Cherokees.	John Drew,
	V. P. of the Western Cherokees.

George Hicks,		Thomas Candy,	
John Benge,	his x mark.	Moses Parris,	
Thomas Foreman,		James Campbell,	his x mark.
Archibald Campbell,		Luney Riley,	
Jesse Bushyhead,		Charles Coard,	his x mark.
Lewis Ross,		Lewis Melton,	
Edward Gunter,		Young Wolf,	
Te-nah-la-wes-tah,		Charles Coody,	
Stephen Foreman,		Ah-sto-la-tee,	his x mark.
Daniel McCay,		Jack Spears,	
George Brewer,		Looney Price,	

By order of the Nat. convention.
JOHN ROSS, *Principal chief Eastern Cherokees.*

By order of the Nat. convention.
JOHN LOONEY, his x mark. *Acting Principal chief Western Cherokees.*

GOING SNAKE, his x mark. *Speaker of the Council.*

The foregoing instrument was read. considered and approved by this 23d day of August, 1839, and signed by Aaron Price, Major Pullum, Young Elders, Deer Track, Young Puppy, Turtle Fields. and a large number of other respectable old settlers and late emigrants.

True copy, original retained in this office.

THOMAS IRWIN, *Clerk.*

No. 22.

Whereas, the removal of the eastern Cherokees to this country has brought together the two branches of the ancient Cherokee family, and rendered it expedient that a union of the two communities should be formed, and a system of government matured and established, applicable to their present condition and satisfactory to all parties. And whereas, a general council of the representatives and people of both communities was appointed for that purpose by the joint call of their respective authorities, which met accordingly at Ta-ka-to-ka, on Monday the 3d day of June, 1839:

And whereas, the representative branches of said general council having been unsuccessful in effecting the objects for which the general council was convened, the people, who formed a constituent branch of said general council, called a national convention of the people of the eastern and western Cherokees to meet at Illinois camp ground, July 1, 1839, to take those important matters into consideration; which convention has assembled accordingly, and is now in session:

And whereas, in the interval between the call and the meeting of this ational convention, the unhappy fact of Major Ridge, John Ridge, and Elias Boudinot's being killed occurred. In consequence of which, violent threats against the lives of innocent and peaceable citizens, were made by some of the friends of the deceased, by which the tranquillity of the community has been interrupted, and a state of excitement and alarm produced, dangerous to the public safety and destructive to domestic and social order:

And whereas, the unfortunate persons deceased, together with others in connexion with them, had by their acts unhappily exposed and laid themselves liable to the pains and penalties and forfeitures of outlawry:

Therefore, in order to stop the further effusion of blood, to calm the present unhappy excitement, and to restore peace and harmony and confidence to the community, we, the people of the eastern and western Cherokees in general council assembled, in our own name, and by the authority and in the exercise of our plenary powers, do ordain and decree; and by these presents it is ordained and decreed accordingly; that a full and free pardon and amnesty be, and is hereby granted to all those persons who are liable, as aforesaid, to the pains and penalties and forfeitures of outlawry, and that they be fully exempted, released, and discharged, from all liability to prosecution or punishment of any kind whatever, on the aforesaid account. And that they be restored to the protection of the community, and the enjoyment of the benefits of the laws, to all intents and purposes, as if the acts which rendered them liable to the penalties aforesaid, had not been committed—excepting, that they shall not be eligible to any office of profit, trust, or honor, in the eastern and western Cherokee community, or under any union or other modification of said communities which may be effected.

Nevertheless, the general council shall have power, after the lapse of five years, if in their opinion the good conduct of any person or persons affected by this decree shall render it proper, to revoke, with regard to such person or persons, that portion thereof which declares them ineligible to office, and thereby restore them to the enjoyment and exercise of all the immunities and franchises of the community; provided, however, that, in order to guard the public peace and the personal security of the citizens from being endangered by the operation of this decree, the benefits of its provisions shall be available to those persons only, who, shall within eight days* after the passage of this decree (appear) before the general council, and shall retract or disavow any threatenings which may have been made by themselves or their friends against the life or lives of any citizen or citizens of the eastern or western Cherokee nation, or against that of any other person in revenge or as a retaliation for the death of the unfortunate persons deceased, or for any other cause, and shall give satisfactory assurances that for the time to come they will demean themselves as good and peaceable members of the community. That in order effectually to carry out the intentions of this decree, to suppress disturbances, to remove public nuisances, and to preserve good order and tranquillity, eight auxiliary police companies shall be organized throughout the country by voluntary association; each company to be commanded by a captain and lieutenant and such subordinate officers as may be required, who shall be elected by the people, any of whom

may also be removed by the people whenever they deem it expedient. The whole of these companies to be under the general command of Jesse Bushyhead 1st, and Looney Price 2d, in command; provided always, that the general council shall have power by law to control, modify, suspend, or discontinue, these police companies as the welfare or safety of the country may require.

Given under our hands at Illinois camp ground, this 7th day of July, 1839. By order and on behalf of this general council of the eastern and western Cherokees in national convention assembled.

Numerously signed by the people in convention.

* Ordered, by the Cherokee people in general convention assembled, that inasmuch as information concerning the decree of amnesty passed on the 7th inst., had not reached some of the persons affected by its provisions; that the time specified for their giving assurances for the future maintenance of peace, be extended until further provisions shall be made by the convention for that purpose. The intention of the said decree being solely to obtain assurances for the preservation of the peace, and not to endanger the safety of any person whatsoever.

Given under our hands, by order of the General Convention, this 13th day of July, 1839.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 23.

Whereas, by a decree of the general council of the eastern and western Cherokees in national convention assembled, at Illinois camp, July 7th, 1839: It is provided, that a full and free pardon and amnesty be granted to certain persons, who, by their acts, had exposed and laid themselves liable to the pains and penalties of outlawry; and that they be fully exempted, released, and discharged from all liability to prosecution or punishment, of any kind whatever, on the aforesaid account; and that they be restored to the protection of the community, and to the enjoyment of the benefits of the laws. Provided, however, that the benefits of this decree shall be available to those persons only who shall retract or disavow any threatenings which may have been made by themselves or their friends against the life or lives of any citizen or citizens of the eastern or western Cherokee nation, or that of any other person or persons, in revenge for the death of Major Ridge, John Ridge, and Elias Boudinot; and shall give satisfactory assurances that for the time to come they will demean themselves as good and peaceable citizens of the community.

Now we, the undersigned, gratefully accepting the clemency of our people, humanely provided for our benefit and relief, do, in the presence of the Supreme Judge and Searcher of all hearts, and in the presence of this great assembly, hereby sincerely acknowledge our error, and express our deep contrition for the same; and we do declare our readiness to submit to our people, and to make all the reparation in our power for the injury we have done; and we do hereby recall and retract any threatenings which may have been made by ourselves or any of our friends against the life of any person whatever, and we do disavow any such threats made by any of our friends in revenge or retaliation for the death of the

persons aforesaid, or for any other cause: and in conformity with the requirements of the ordinance and decree aforesaid, we do, in the presence of the Supreme Judge, and of this general council, solemnly pledge ourselves to abstain from all acts which may in any way or manner disturb the peace and endanger the security of the community or of any individual thereof. But that, for the time to come, we will sacredly regard these our solemn assurances, and in good faith demean (ourselves) as good and peaceable citizens, in fulfilment of the obligations involved in this pledge, and in the true intentions of the ordinance and decree.

Given under our hands, at Illinois camp ground, in the presence of the national convention, this 10th day of July, 1839.

George Chambers, his x mark.
Jesse Halfbreed, his x mark.
Te-ka-e-she, his x mark.
Wm. H. Davis,
Tah-ye-ske, his x mark.
James Foster,
Charles Forman.

Witness:
Daniel McCoy,
R. Taylor,
Geo. Lowry,
Jesse Bushyhead.

No. 24.

Know all men by these presents, that, in order to stop the further effusion of blood, to calm the present unhappy excitement, and to restore peace and harmony and confidence to the community, we, the people of the eastern and western Cherokees, in national convention assembled, in our own name, and by the authority and in the exercise of our plenary powers, do ordain and decree, and by these presents it is ordained and decreed accordingly, that a full and free pardon and amnesty be and is hereby granted to all persons, citizens of the eastern and western Cherokee nation, who may be chargeable with the act of murder or homicide, committed on the person of any Cherokee previously to the passage of this decree; whether the same may have been committed within the limits of the eastern or western Cherokee country or elsewhere. And by the authority aforesaid, we do further ordain and decree, that all persons so chargeable are, and by these presents are declared to be, fully exempted, released, and discharged from all liability to prosecution, punishment, or disabilities of any kind whatever, on the aforesaid account; and that they be restored to the confidence and favor of the community, and to the enjoyment and protection and benefits of the laws, to all intents and purposes as if the act or acts for which they stand chargeable had not been committed.

Given under our hands, at Illinois camp ground, this 10th day of July, 1839. By order of the national convention.

GEORGE LOWRY, } *Presidents of*
GEORGE GUESS, } *Convention.*

Vice Presidents.

Young Wolf,
Lewis Melton,
Jack Spears,
Luney Riley,
Ah-sto-la-de,
Te-ge-ton-les-ge, his x mark.
Tobacco Will, his x mark.
James Brown,
David Melton,
Richd. Taylor.

Jesse Bushyhead,
Thomas Foreman,
Thomas Candy,
Te-no-la-wes-ta,
George Brewer,
John Benge,
Charles Gourd,
James Campbell,
Looney Price,
Lewis Ross,
Edward Gunter,
John Drew,
Moses Parris,
George Hicks,
Charles Coodey,
Archd. Campbell, his x mark.
Daniel McCoy.

By order of the convention.

JOHN ROSS,
Principal Chief of the eastern Cherokees.

No. 25.

IN NATIONAL CONVENTION.

ILLINOIS CAMP GROUND, *July* 12, 1839.

SIR: We deem it proper to report further to you for your information the proceedings of the national convention in reference to the late excitement.

In order effectually to stop the further effusion of blood, the convention has, by decree, buried all past grievances in oblivion, on the sole condition of the parties giving assurances to maintain the peace in future.

Measures have been taken to inform those persons who claimed protection at the fort of these proceedings, so that the collecting of their friends to secure themselves from violence is rendered altogether needless.

These provisions which are in exact conformity with your wishes, as well as with our own, will prove to you our determination to prevent mischief, and to promote peace.

We have the honor to be, sir, your friends, and obedient humble servants,

GEO. LOWRY, *President.*
GEO. GUESS, *Vice President*, his x mark.

Young Wolf,
Edward Gunter,
R. Taylor,
Luney Riley,
George Hicks,
Jesse Bushyhead,
Riley Keys,
George Brewer, his x mark.
John F. Boot, his x mark.
Archibald Campbell, his x mark.
Charles Gourd, his x mark.
Stop, his x mark.
G. W. Gunter,
Thomas Foreman,
James Brown,
John Drew,
Thomas Candy,
Moses Parris,
Ashtolahtee, his x mark.
Small Back, his x mark.
Crying Bird his x mark.
Tobacco Will, his x mark.
Bark, his x mark.
John Benge, his x mark.

ELIJAH HICKS, *Secretary.*

By order of the convention.

JOHN ROSS.

Brevet Brig. Gen. M. ARBUCKLE,
U. S. Army, commanding.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

IN NATIONAL CONVENTION.

ILLINOIS CAMP GROUND, *July* 13, 1839.

SIR : Since our communication of yesterday to yourself, we have been honored with the receipt of yours of the 10th instant, but we had not the satisfaction of seeing the officer through whom it was despatched, nor do we know by whom it was delivered. In justice to ourselves, we beg leave to remark, that it appears you have mistaken the true character of this convention. In order, therefore, that it may be fully understood, we will state, that this convention has been called by the Cherokee people, and not by the chiefs or people of the late emigrants alone ; consequently, the undersigned members have derived their appointment and authority directly from the people, in the exercise of their plenary power ; and not through the limited authority vested in any of the chiefs, or other delegated functionary. There certainly exists no just cause for uneasiness on the part of any portion of the Cherokees, much less of others, from the apprehension that the sitting of this convention may produce any interruption of peace aud good order in the Cherokee community, or on this frontier. And, having full confidence in the sincerity of your disposition not to interfere with the concerns of the Cherokees, and that your efforts are solely directed to the preservation of peace and good order on this frontier, we take pleasure in saying that we hope, by the acts of this convention, to evince to you and to the Government and people of the United States, that the Cherokee people fully appreciate the blessings of peace and good order, and that every thing in our power will be done to ensure these desirable objects.

We have the honor to be, sir, very respectfully, your obedient humble servants.

GEO. LOWRY, *President.*
GEO. GUESS, *Vice President,* his x mark.

Thomas Foreman,		Young Wolf,	
James Brown,		George Hicks,	
Thomas Candy,		Jesse Bushyhead,	
Moses Parris,		John F. Bool,	his x mark.
Riley Keys,		Archibald Campbell,	his x mark.
John Benge,	his x mark.	Charles Gourd,	his x mark.
John Drew,		Stop,	his x mark.
George Brewer,	his x mark.	Small Back,	his x mark.
Ashtolatee,	his x mark.	Crying Bird,	his x mark.
Edward Gunter,		Tobacco Will,	his x mark.
R. Taylor,		Bark,	his x mark.
Luney Riley,			

ELIJAH HICKS, *Secretary.*

By order of the convention.

JOHN ROSS.

Brevet Brig. Gen. M. ARBUCKLE,
U. S. Army, commanding.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d *Dept.*, *W. Div.*

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 14. 1839.

GENTLEMEN : I addressed to you a communication under date of the 10th instant, in which I acknowledged the receipt of yours of the 9th. At that time I determined not to reply to a portion of your letter, which is unjust to myself, and, as I judge, uncalled for. That part of your letter to which I refer is in the following words : " We are again constrained to express our regret at that portion of your communication which relates to our western brethren, and your interposition in behalf of the Cherokee people."

It is strange that you should in your *first* letter to me say that you are *again* constrained to express your regret ; and this is rendered more unaccountable, as I have no recollection of receiving a letter from any of your friends containing such remark. To be sure that there is no cause for regret, as relates to my communication, I judge it is only necessary for you to refer to it—and as relates to any other matter of regret, you may have, if you will be so good as to state the facts on which it is based, I shall have no difficulty in convincing you that my conduct, in every particular connected with the difficulties between the old and new settlers, is entitled to your thanks.

It is indeed singular, that, after having been requested by Mr. Ross, in his letters of the 22d and 23d ultimo, to interpose by force, and otherwise, to prevent the further effusion of blood in the Cherokee nation, that my interposition should now be complained of, and without any justifiable *cause* being assigned. You advise me of the high responsibility under which I act. I am well apprized of that fact: and hope that all who have public business to transact, will equally respect the high obligations they are under. And you further remark—that with my co-operation, both tranquillity and perfect safety can be secured to the citizens of the United States and Cherokee people. I can assure you that it will afford me very great pleasure to unite with you in any measure, calculated to effect this desirable object, which is not positively unjust to others—but so long as the Cherokee people are divided into parties, you must perceive that there is little left for me to do, except to request each party to abstain from such measures as are liable to lead to acts of violence.

The military force in this country cannot, nor will not, be employed in conjunction with either party, (in the event of difficulties in the Cherokee nation, which, I assure you, I fear will very soon take place,) but will only be employed to preserve peace and prevent the shedding of blood, unless self-defence should render the reverse necessary.

It has been reported to me by several individuals of respectability, that your convention has decreed, that the signers of the Ridge treaty shall appear before the convention in eight days, and that the time for their appearing will expire to-morrow, where they are required to confess their sorrow for having signed that treaty, and pledge themselves to live peaceably ; in that event they are permitted to live—but are not eligible to any office for five years, and not then, unless the general council of the Cherokee nation should so decree ; that in the event they do not appear before the convention within the time prescribed, they will be regarded outlaws, and punished accordingly.

You must be assured, gentlemen, if I am correctly informed, and I have no reason to doubt my information on this point being substantially true, that there is much responsibility connected with such a proceeding in many ways, and that the peace of this frontier is not secure for a single day after an attempt is made to destroy those that do not come in; and I am this day informed that several of the signers of the treaty referred to will not accept the terms you have proposed. Will you be so good as to give me correct information on this subject by the return of the bearer? You will herewith receive a letter from the Creek nation, which I was requested to forward to you.

I am, gentlemen, your obedient servant.

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq.,
Principal Chief of the Eastern Cherokees, and others.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d. Dept., W. Div.

IN CONVENTION.

ILLINOIS CAMP GROUND, *July* 15, 1839.

SIR: We have just been honored with your communication of yesterday, by Lieut. Freeman. As it has been our constant desire so to act as to promote peace and good feeling, we are not a little mortified to find that our proceedings have been misconstrued. In order, therefore, effectually to remove all misunderstanding, we will do ourselves the honor to wait on you to-morrow, by committee for that purpose.

We have the honor to be, sir, your obedient humble servants,

GEO. LOWRY, *President of the convention.*
GEO. GUESS, *Vice President,* his x mark.

Daniel McCoy,		George Brewer,	his x mark.
Moses Parris,		Boot,	his x mark.
Jesse Bushyhead,		John Benge,	his x mark.
Jack Spears,		Charles Gourd,	his x mark.
James Brown,		Bird Cryer,	his x mark.
Young Wolf,		Lewis Melton,	
Thomas Candy,	his x mark.	Riley Keys,	
Tobacco Will,	his x mark.	Thomas Foreman,	
Arch. Campbell,	his x mark.	Luney Riley,	
James Campbell,	his x mark.	G. W. Gunter,	
Ah-sto-la-dee,	his x mark.	Edward Gunter,	
Te-nah-la-wes-lah,	his x mark.	George Hicks,	
Small Back,	his x mark.	Looney Price,	
		R. Taylor.	

By order of the convention. JOHN ROSS.

Brevet Brig. Gen. M. ARBUCKLE,
U. S. Army, commanding.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

HEAD QUARTERS, 2D. DEPT., W. DIVISION,
Fort Gibson, July 17th, 1839.

GENTLEMEN: I was highly gratified when Mr. Ross and a deputation from your body arrived here yesterday. as I did not doubt that something would be proposed which would enable me to act usefully with you in allaying the excitement now existing in the Cherokee nation, and securing the continuance of peace on this frontier. This reasonable expectation, I regret to say, has been totally disappointed, as the only thing suggested was my interposition in urging Star, Bell, and others, (who took protection here for a short time,) to comply with a decree of your body, which renders them ineligible to office for five years in the Cherokee nation, or, should they not come in, require them, at least to give the necessary security to keep the peace.

The conduct of these men in threatening violence to Mr. Ross, I hope, is not believed to have received from me the least countenance or approbation; and I can assure you that they have received no encouragement from me in any way, to act otherwise than in an orderly manner; or assurances that they would receive any protection from the military force that would not be extended to any individual of your nation.

But you must notice, that the character of your decree is such, that if I were to send an officer to induce Bell, Star, and others to comply with it, no good would result from it, unless that decree was so altered as not to deprive them of the rights of Cherokees.

I have, gentlemen, repeatedly assured you of my serious apprehensions of difficulties in the Cherokee nation, and on our frontier. And now, without wishing to be understood as expressing any opinion as to what is right or wrong in relation to this subject, I believe that a civil war in the Cherokee nation is almost certain, unless the decree referred to is so changed as not to deprive any one of your nation of the rights of Cherokees, and you agree to meet in convention the members that may be appointed by the council of the old settlers, which you are aware assembled on the 22d instant.

I take this occasion to again assure you, that it matters not to me what course is pursued with regard to the Government of the Cherokee nation, so long as the tranquillity of the nation and of this frontier, is preserved.

I am, gentlemen, very respectfully, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq.,
Principal Chief of the eastern Cherokees, and others.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 18th, 1839.

GENTLEMEN: I deeply regret to inform you that reports have reached me this evening, from various quarters, that the late emigrants, or the adherents of Mr. Ross, intend preventing, by force, the assemblage of the old settlers in council, which is to convene on the Illinois on the 22d inst.

I hope for the welfare of the Cherokee people that this report is entirely destitute of truth, yet it has been in a measure confirmed by its having been reported that the force at your convention, has been and is now daily increasing, and that you intend to have in service at an early period, at least eight companies of mounted men.

It will be highly gratifying to me to receive from you correct information on this subject by return of the bearer, together with a reply to my communication of the 17th instant.

I am, gentlemen, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq.,
Principal Chief of the emigrant Cherokees, and others.

P. S. Should you deem public opinion worthy your consideration, I beg leave to refer you to my communications to your body, particularly that under date of the 10th instant.
M. A.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

IN CONVENTION.

ILLINOIS CAMP GROUND, *July 19th,* 1839.

SIR: We have, in a former communication, assured you that our individual efforts were directed to the preservation of peace. We now beg leave to report the same sentiments, and again to assure you that the reports of our hostile intentions are, as you correctly anticipated, utterly destitute of truth.

But on a charge so grave, we deem it due to ourselves respectfully to demand the names of your informants.

We have the honor to be, sir, your obedient servants,

GEORGE LOWRY, *Pres't. Convention,*
GEORGE GUESS, *Vice President,*

John Martin, George Sticks,
Thomas Candy, James Brown,
Thomas F. Taylor, G. W. Gunter,
John Drew, Lewis Melton,
George Brewer, Looney Price,
John Bena, Lewis Ross,
A. Campbell, Edward Cante,
Moses Parris, R. Taylor,
John Looney, Charles Coody,

Riley Keys,	Jesse Bushyhead,
T. Foreman,	Small Back,
The Bark,	Stop,
Crying Buffalo.	Moses Daniel.
Young Wolf,	

Brevet Brig. Gen. M. ARBUCKLE.
True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

IN CONVENTION.

ILLINOIS CAMP GROUND, *July 20th*, 1839.

SIR: We were both surprised and disappointed when your letter of the 17th inst. came to hand, as we had flattered ourselves that the interview we had the pleasure of having with you, as well as the attention and kindness received while at the fort, would have given to you not only the greatest assurances of our continued desire to prevent the further effusion of blood, but every disposition so far as we were able to restore peace and quiet to the Cherokee people, as well as perfect security to the frontier. The sole object of our trip to the fort was to inform you that we had done all in our power to bring about that result which appeared so desirable to you as well as ourselves, to wit, the prevention of further bloodshed and a restoration of peace and quiet. Your disappointment at not being furnished with any propositions from us to enable you to co-operate in our behalf with the western chiefs and old settlers, in settling all our causes of difference, is certainly not rightfully chargeable to us, as we neither wished nor desire to produce disappointment, and feel mortified and hurt at the remarks made on that subject. The view taken by us was this—that having done all we could and that, too, in conformity with your request, to prevent bloodshed and promote peace—that you as our mutual friend, would be prepared to say to the chiefs and others—the emigrants have done their part in this matter, it now behooves you to do your part, and all is quiet—or something to that effect. Such mediation as this is never without its benign influences upon the human heart, and seldom fails in producing the most happy results. The decree which has been passed so far as we are concerned throws a veil of oblivion over all past offences, on as reasonable terms as any offenders and violators of our laws could expect, and a number of those who were exposed to the penalties of our laws have come in, accepted of the terms, been received with open arms, and are now in peace and safety, to traverse the country and pursue their common avocations free from the fear of harm. Among those who had violated the laws were individuals connected to many of us by the closest ties of consanguinity. No exceptions were made for them, none were asked; and shall we make distinctions? No—the fiat has passed and cannot be changed with partiality. If any of our people refuse to abide the Cherokee laws, the world is large, they can leave us; but if they remain in our country, being a part of our people, they must come under our laws. The reports we have from time to time received from the fort, induce us to believe that

those men who had gone there for protection had received assurances of protection from the military, and that feeling was somewhat strengthened by their course since returning home. But we are now bound, from the assurance in your communication of the 17th. which is now before us, to say we were under mistake, and are happy to correct it. We do not apprehend any danger of civil war in this country, and no set of men in Christendom would more deeply deplore such a state of things than we would. We say we do not apprehend any danger of civil war, and for the best of reasons. We are looked upon as one of the parties to engage in this war, and of this we have no idea. We have been, and still are trying in solemn convention to wage a war of reason upon our own intellects and those of our western brothers, in order to enable us to unite as one people, (which we are,) and make such government and laws as will be suitable to our condition and wants—these we consider not only lawful, but commendable and praiseworthy motives, and such as every philanthropist and patriot should hail with feelings of the liveliest gratitude. But it appears that our motives and wishes are mistaken and misconstrued both by our western brothers and white friends, as both seem to entertain fears of our *fiendish purposes*. It is not only strange, but passing strange, that such a report as the one received from you yesterday could have originated, that we designed to prevent the meeting of the old settlers at the mouth of the Illinois by an armed force. We are almost induced to believe that these are groundless fabrications for political effect, and hope that in future you will treat them with their merited contempt—silence. We have, among other regulations, it is true, adopted the light-horse system for the purpose of executing the laws of the country, which has been the custom of the Cherokee people for many years, but not for the purpose, as supposed, of hostilities. We have been making such regulations as we think suitable to the Cherokee people, with a view of sending them down to the contemplated meeting of the 22d inst. by a respectable committee from our convention, armed and accoutred with prudence and discretion, to show them what has been done, the propriety thereof, and the importance of friendship and union to our future prosperity and happiness. If there is any thing wrong in all this, we would like to hear it, as we are ready at all times, when in error, to correct it at the earliest period. From the assurances given you of our peaceable feelings towards the citizens of the United States, we do hope in justice to us. and to the citizens on the frontier, you will, without delay, adopt such measures as in your discretion you may think best to give them quiet. As for danger. they have none to fear from any of us or our adherents. We had forgotten to mention that John Looney (one of the western chiefs) was with us here on yesterday, and expresses himself not only satisfied. but pleased at what has been done at this convention, and promised to give his influence to our proceedings, at the approaching meeting which is just at hand. May we hope for better times or not? Does this look like civil war? We think not. We send you the copy desired, &c.

We have the honor to subscribe ourselves, your friends and humble servants,

GEORGE LOWRY, *Pres't. Convention.*
GEORGE GUESS, *Vice President.*

Richard Taylor,	John F. Boot,	his x mark.
George Hicks,	Bark,	his x mark.
Thomas F. Taylor,	Small Back,	his x mark.
Jesse Bushyhead,	Charles Gourd,	his x mark.
John Martin,	Moses Daniel,	
Thomas Candy,	Lewis Ross,	
G. W. Gunter,	John Benge,	his x mark.
Edward Gunter,	James Brown,	
John Drew,	Archd. Campbell,	his x mark.
Riley Keys,	Stop,	his x mark.
Luney Riley,	Thomas Foreman,	
Bird Doublehead,	Crying Buffalo,	his x mark.
Young Wolf,		

By order of the Convention.

JOHN ROSS.

To Brevet Brig. Gen. M. ARBUCKLE,
United States Army, commanding.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 20, 1839.

GENTLEMEN : I have received your communication of the 19th inst., and was much gratified to learn that the reports which had been received here in relation to an intended attack on the council of the old settlers, which is to assemble on the 22d inst., are destitute of truth.

You are already informed how and when that report was received at the Grand Sabine--and young Mr. Dillard was about the same time at Webber's Falls, where he heard several individuals (Cherokees, as I understood him) say that information had been received there that it was the intention of your convention to send an armed force to the council of the old settlers, with the object of seizing their chiefs and taking them before you. The names of the individuals who made these statements can be ascertained if proper inquiry is made.

Gentlemen : I have no doubt of your desire to preserve peace with the United States, and with your own people ; yet the course you pursue will result very different, (as I believe,) if not speedily changed ; and, as you had not permitted me to suppose that any change would take place, I yesterday authorized arms and ammunition to be issued to a portion of the militia residing near to the western borders of Arkansas, to enable them to protect the frontier in the event the State is invaded, or the Cherokees should commit acts of hostility against the citizens of the United States. Except in these cases, they are forbid entering the Cherokee nation, unless it may be to pass to Fort Wayne to obtain subsistence stores. Yet, as they are not required to leave their homes, it is presumed they will not do so without orders, or some circumstances near the time should render it necessary. And I have also written to the governor of Arkansas, ad-

vising him of the propriety of making preparatory arrangements to promptly send to this frontier a large force. provided it should be necessary.

I most earnestly hope that you will, at an early period, enable me, by a union of the Cherokee people, to say to the citizens of Arkansas that there is no occasion for their leaving their homes or bearing arms to ensure peace on their western border.

To effect this very desirable object, it is only necessary that you should allow the old government of the Cherokees in this country a just agency in forming a new government,—and to forgive all offences, provided individuals who have made threats of violence against others, shall give a satisfactory pledge or security that they will demean themselves in a peaceable manner hereafter.

If this course is adopted—and the time has arrived when something of a decisive character must be done—you may expect my hearty co-operation; and if there are any other measures that can be resorted to, to effect this object, I am not apprized of them.

I was much gratified to be informed to-day, by my aid-de-camp, Lieut. Simmons, who visited you yesterday, that you intended to send a deputation from your body to meet the council of the old settlers. Send such men as Mr. Lowry, or men as similar to him in temper as you can find them, with an offer to them of a just participation in forming a new government, and a pledge to forgive offences on the terms stated, and all difficulties will soon subside in the Cherokee nation. I hope you will think well of all I have said in this communication, and if so, you and the old settlers, and all others, will soon be united as brothers.

I am, gentlemen, with great respect, your obt. servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq.,
Principal Chief of the eastern Cherokees, and others, in council.

P. S. It is not to be understood that the terms I have suggested for an accommodation of all difficulties in the Cherokee nation, are intended to dictate to you; as I can assure you, that if the object is effected by any other peaceable means it will be equally agreeable to me.

With respect to Bell, Star, and others similarly situated, a moment's reflection must satisfy you that your decree in relation to them must be revoked, except so much as requires them to keep the peace, before I could act usefully in settling the difficulties with them. M. A.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

HEAD QUARTERS, 2d DEPT., W. DIVISION,
Fort Gibson, July 22, 1839.

GENTLEMEN: I have received a copy of your decree of the 7th instant, together with your communications of the 19th and 20th, and a letter from Mr. Ross of the 21st.

It would appear by your decree, that the people of the eastern and western Cherokees were justly represented at your convention. If this is true, there certainly can be no just cause to apprehend a civil war in the Cherokee nation; and this would have been rendered less probable, had your decree contained nothing more than is shown by your communication of the 12th inst.

You will receive herewith a copy of my letter to the chiefs of the Cherokee nation of this date, which I hope will receive from them the serious consideration its importance demands; and if so, and your proceedings are such as they can approve, it is believed that security will at once be given to the Cherokee nation, and the inhabitants on this border, when it will afford me much pleasure to inform the governor of Arkansas, and the citizens of the frontier, that there is no occasion for them to be in readiness to defend their homes.

I judge that my letters previous to this date fully informed you of all that my duty requires, and therefore I have nothing more to add, except my sincere desire for the peace and happiness of the Cherokee people.

I am, gentlemen, with great respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

To JOHN ROSS, Esq., and others,
In convention at Illinois camp ground.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, July 22, 1839.

GENTLEMEN: I received last evening a communication from the convention in session at the camp ground on the Illinois, by which I am notified that Mr. John Looney has visited that body, and is well pleased with its proceedings, which I am informed will be laid before you by a committee appointed for that purpose; and as these proceedings have already been approved by one of you, it is earnestly hoped that the other two, and your council generally will approve of them, and by that measure at once give quiet and security to the Cherokee people. It is for them that you are acting, and to them that you are responsible; therefore, I hope you will act wisely, and without any motive except the general good of your people, and to ensure their welfare.

Gentlemen, you have already admitted that a new government for the Cherokee nation is proper and necessary, and that it ought to go into effect at the earliest period possible. Under such circumstances, it is earnestly hoped and expected that notions of form or ceremony will not influence your conduct on so important a subject.

I have received the decree of the convention in relation to Bell, Star, and others similarly situated, by which it appears, that "the time specified for their giving assurance for the future maintenance of peace, is extended until further provision shall be made by the convention for that

purpose." therefore, it is not known why they may not return home and remain in perfect security for the present. A copy of this communication will be transmitted to the convention now in session at Illinois camp ground.

I am, gentlemen, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN BROWN, JOHN LOONEY,
and JOHN ROGERS, *Chiefs of the Cherokee nation.*

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

The decree in relation to Bell, Star, and others similarly situated, will be sent to Washington, with such other papers as are regarded necessary to a correct understanding of that decree.

If you cannot concur in the proceeding of the convention, I hope you will not for a moment think of resorting to violent measures, but will again, and at an early period, offer to meet your eastern friends in convention, for the purpose of establishing a new government for the Cherokee nation.
M. A.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

No. 26.

Whereas, a decree was passed by the Cherokee people, in national convention, at the Illinois camp ground, on the 7th day of July, 1839, providing for a general amnesty to all such individuals as had, by their acts and conduct, exposed and made themselves liable to the penalty of outlawry, and all such persons being requested to appear in eight days from the date thereof before the general council, to avail themselves of its provisions; and whereas, it was again ordered by the Cherokee people, on the thirteenth day of July, 1839, that the time specified above should be extended until further provisions shall be made by the convention:

And whereas, some of the individuals affected by the aforesaid decree have not availed themselves of its liberal and humane provisions, and by their improper conduct are endangering the peace of the country and threatening the lives of valuable citizens: It is, therefore, ordered by the convention, that public and general notice be and is hereby given to all such persons as have not availed themselves of the benefits of the aforesaid decree, to appear before this convention on or before the 4th of September, 1839, and comply with its requisitions; it being essential to the preservation of peace, that the life of a citizen shall not be unlawfully endangered. It is further ordered, that two persons be selected to disseminate through the country, and if possible, personally notify all such individuals as are hereby affected to come forward in accordance with this order.

Done in convention, in behalf of and for the whole Cherokee people, at Tah-le-quah, this 28th day of August, 1839.

GEORGE LOWRY, *President.*

George Guess,
Aaron Price,
Hair Conrad,
John Benge,
A. Campbell,
She-Cow Elders,
The Eagle,
Logan,
James Spears,
Sul-lu-tu-skee,
Young Glass,
Major Pullum,
George Gunter,
Edward Gunter,
Kee-nah,
Crying Buffalo,
Jesse Russell,
Bark Flute,
Oo-le-nah-wah,
Elijah Hicks,
Daniel Colston,
George Hicks,
Tobacco Will,
Turtle Fields,
Tah-lah-see nee,
Jesse Bushyhead,
Lewis Melton,
Moses Parris,
Luney Riley,
Young Wolf,
Thomas Foreman,
R. Taylor,
George Brewer,
L. Price,
John Spears,
John Drew,
W. S. Coodey,
W. S. Adair,
Charles Coodey,
Thomas F. Taylor,
Thomas Candy.

True copy, original retained in this office.

THOMAS IRWIN, *Clerk.*

No. 27.

At a meeting of the treaty party of the Cherokee nation of Indians, held at Price's prairie, in the Cherokee nation, on Tuesday, the 20th day of August, 1839, on motion, George W. Adair was called to the chair, and Thomas Wilson was appointed secretary. The objects of the meeting were explained by the chairman. The following preamble and resolutions were offered by John A. Bell:

Whereas, on the 22d day of June last, our then distinguished friends, Major Ridge, John Ridge, and Elias Boudinot, were cruelly and inhumanly assassinated, and, as we are informed and really believe, by an order of the partisans of John Ross, in consequence of the deceased having signed the treaty of December 29, 1835:

And whereas, since that time the state of anarchy and confusion in the country has been intolerable; and the decree passed by the partisans of John Ross, as well as many other circumstances, clearly demonstrate that all the signers of the treaty and many of their friends are in imminent danger of secret and cowardly assassination:

And whereas, a civil war is seriously deprecated, inasmuch as it would tend to the total destruction of our nation: Be it, therefore,

1. *Resolved,* That we regard the recent conduct of the partisans of Ross, in the murder of the deceased, in the decree passed relative to the

signers of the treaty and their friends, and in the keeping together of so great a number of persons armed, in a military and hostile manner, deserving the reprobation of all mankind, and meriting the severest punishment.

2. *Resolved,* That, inasmuch as we would seriously deprecate a civil war, we will not engage in one, unless assured that it is the only means left for our personal safety.

3. *Resolved,* That we believe it to be right that we should appeal to the Government of the United States for the punishment of the murderers of the deceased Ridges and Boudinot, and for justice and protection for ourselves and families.

4. *Resolved,* That, for that purpose, we will send a delegation of two, viz: John A. Bell and Stand Watie, to Washington city, in order to lay our grievances before the Secretary of War.

5. *Resolved,* That the chairman appoint a committee of six to draft an address to the Secretary of War, making known our grievances and our wants, and to report the same, forthwith, to this meeting, for adoption.

6. *Resolved,* That the said John A. Bell and Stand Watie, our delegates, be intrusted with full authority to enter into arrangements with the Secretary of War for our protection and relief.

The chairman appointed the following persons a committee, under the 5th resolution: Charles Rese, John Field, James Star, Thomas Wilson, William Roling, William Lassley.

The committee appointed reported the following address, which was adopted by the meeting:

CHEROKEE NATION, *August* 20, 1839.

The undersigned, a committee appointed by the party of Cherokees, known as the treaty party, to represent the recent history of events in relation to themselves and their present condition to the honorable Secretary of War, beg leave respectfully to state:

That a great portion of the treaty party emigrated to the Cherokee nation west, as early as arrangements were made for their removal, under the treaty of December 29, 1835: that the remainder of their party emigrated during the last year; that, on their arrival, they found their brethren, known as the Cherokees west, in the possession of a country healthy and fertile, and every way adapted for the prosperity of the Cherokee people. They found a Government regularly organized, with a code of laws suitable to their condition, and equal in their operations. Such of the treaty party as arrived at an early day, were permitted to associate in the council of their brethren and to hold offices under the Government: all either purchased or improved farms, bought cattle, and embarked in various branches of business, according to their several skills. They welcomed that portion of their countrymen opposed to the treaty to their new homes, and extended to them every act of courtesy and kindness in their power; many of their friends extended to the poorer class credit, in order to enable them to purchase the articles of husbandry and make shelter for their children. The treaty party believed all was going well, until the call of a council on the first Monday in June last.

Upon the adjournment of Mr. Ross's part of his meeting, his party called for a council of the whole nation to meet on the first day of July.

On the 22d of June, their three distinguished men, known as the leaders of their party, Major Ridge, John Ridge, and Elias Boudinot, were cruelly assassinated by the partisans of John Ross. The number and prominence of the persons engaged in these massacres prove that the plot was arranged at the previous council, and the perpetrators of the horrid deeds selected, and chosen, and organized into three separate banditti. But if proof were wanting, the subsequent proceedings are a proof of the truth of our assertion.

We beg, however, that the honorable Secretary of War will bear in mind, that this "convention" was only attended by the partisans of Mr. John Ross. The treaty party have only been able to obtain the copies of the proceedings of that meeting, hereto annexed, and numbered. What further steps have been taken they cannot know, for Mr. Ross's council still continues in session. But, from the history of the past, the decree itself, and the daily threats which we hear in the country, the treaty party are not only convinced that their enemies approved the murder of their friends, but would sanction the total destruction of themselves.

The honorable Secretary of War will see the humiliating condition upon which we are required to save our lives.

We must, however, submit to these conditions, thus degrading to ourselves and reproachful to the United States Government itself, or to be driven from the country, or engaged in a civil war in self-defence. The Government of the United States is well aware that either alternative would be equally destructive to ourselves and families; were we tamely to submit to the dictation of our enemies, we have too many reasons to know that there would be no safety for us. Before we can consent to leave the country, which we love quite as well as our enemies loved the country which they have left, we must inquire where we are to go, and what are we to do with the homes which we have purchased and improved? Hardly as we are oppressed, and flagrant as are our injuries, we value too highly the Cherokee blood to engage in the horrors of a civil war, unless driven to it in acts of self-defence, and thus be the destruction of our own people.

The treaty party deny that they have committed any acts deserving of punishment. If they have violated any laws, they are willing to be tried by its provisions, and abide the decision of the proper tribunals of their country.

But they acknowledge not the power or mobocracy of John Ross or his constituted authorities. They will never submit to his authority or dictation. As the only alternative, then, which seems to be left them, they confidently and solemnly appeal to the Government of the United States for justice and protection. They cannot, like Mr. Ross, invest themselves with military guards of their countrymen for life, and promise them pay from money due their whole countrymen; and they are too well warned of the consequences of remaining at home and attending to their ordinary concerns. Secret assassinations would again go on, and their whole party be destroyed, before any declaration of hostilities would be made, which the military of the country would feel authorized to treat as "domestic strife."

The treaty party have, therefore, sent their trusty friends, John A. Bell and Stand Watie, to the Secretary of War, to solicit that protection promised in the treaty, and which they confidently believe the Government of the United States are able and willing to afford. They solemnly ask for redress for the murders of their friends, who have been assassinated without a hearing, without a trial, and without a crime. They ask that their own lives remain not in jeopardy. They ask that they be not brought under the power of John Ross and his partisans. They ask that the money due to the Cherokee people under the treaty be not paid to a party who acknowledge not its sanction, destroy its framers, and yet, with their characteristic cupidity, seek to appropriate its benefits to accomplish the ambitious purposes of their leaders.

The ways and means of their relief they pretend not to dictate; but they confidently appeal to the Government of the United States, and, as their only hope, trust to them for relief.

Signed in behalf of the meeting.

Resolved, That these proceedings be signed by the chairman and secretary, and forwarded to the Secretary of War by our delegates.

Hon. J. R. POINSETT,
Secretary of War.

True copy, original retained in this office.

THOMAS IRWIN, *Clerk.*

SEPTEMBER 2, 1839.

DEAR SIR: Enclosed we send you a copy of a communication from Mr. Ross's convention. You will see that they have given us until the 4th of this month to come forward and sign the pledge. They are anxious for us to "comply with the requisition, it being essential (they say) to the preservation of peace, that the life of a citizen shall not be unlawfully endangered."

They tell us plainly that our lives will be in danger if we do not comply within the time given. We have been told by some of these conventioners, that a portion of their body insisted upon closing the decree and marching forthwith upon us, without giving us any timely notice of its being closed. It is impossible that we can remain as we are much longer. It seems a duty we owe to ourselves that we prepare to defend our persons; likewise, that we send some person to the city of Washington, to fully apprize the Government of the United States of our situation, and insist upon its interposition. However, these are matters that we wish to consult you on, and we wish you to speak fully and frankly to us on these important subjects.

We have the honor to subscribe ourselves your obedient humble servants,

GEORGE W. ADAIR,
J. A. BELL, and others.

Capt. WM. ARMSTRONG,
Acting Superintendent, W. T.

CHOCTAW AGENCY WEST,
September 4, 1839.

GENTLEMEN: I have received yours of September 2d, enclosing me a decree of Ross's council, by which I find that the treaty party have until this day given them to come into the council, otherwise their lives are forfeited. From the commencement of the unpleasant difficulties between the Cherokees, I have endeavored to stop the further effusion of blood. That your friends, the Ridges and Boudinot were so inhumanly murdered for the conspicuous part they bore in the late treaty, is not denied by the Ross party; and that your situation is now one of great peril cannot be doubted. Your lives will now be sought, and when taken, justified by the dominant party in the Cherokee nation. I was in hopes Mr. Ross would have agreed to refer the existing difficulties to the Government of the United States. With this view, I furnished him with a copy of the appeal of John Brown and John Rogers, chiefs of the western Cherokees, in which they appealed to the Government to settle the present difficulty between the Cherokees. I regret to find that the object and motives of the old settlers are misconstrued, and that they are charged with a design of placing the Cherokees under a territorial Government, such as was contemplated by Congress. Their only object was, that the present difficulty should be settled by the United States, without a resort to arms between the Cherokees themselves. This is decidedly rejected by Mr. Ross. I have sent to the Commissioner of Indian Affairs at Washington all the documents that have come into my hands relative to the difficulties between the Cherokees. These, together with what Gen. Arbuckle has written, will enable the War Department to understand fully the present controversy.

You also enclose me a copy of a meeting of the treaty party, by which I find that you have appointed two of that party to go on to Washington and represent your case fully to the honorable Secretary of War. I can only say to you, that it is against the instructions of the department, as well as a positive act of Congress, for any agent or other person to get up or encourage a delegation of red people to visit Washington.

Sympathizing deeply with you in your unpleasant situation, I regret that I have not the power of averting the danger which threatens you, and, which you very well know, I have solicited that nothing be done by the Ross party to affect the old settlers, or those whom they represent, until the Government should be heard from. This is all I could do.

Very respectfully, your most obedient servant,

WM. ARMSTRONG,
Acting Superintendent, W. T.

Messrs. GEORGE W. ADAIR,
J. A. BELL, and others,
Cherokee nation.

AUGUST 30, 1839.

DEAR SIR: Enclosed you will see a communication that we received yesterday from Mr. Ross's convention. You will see by it that our day of probation is set. You see that they invite us to come forward and partake with their "*liberal and humane provisions,*" as they call them,

that our lives "shall not be unlawfully endangered." Now we call upon the United States for protection, according to treaty stipulation.

This convention we consider the father of strife, and it will certainly extinguish the flame of domestic peace and happiness in a great many Cherokee families, if suffered to go on. Will you suffer us (to be) driven from our homes, or be forced to bow to a band of assassins, contrary to all law, justice, and humanity? Surely not: however, we leave the matter with you and the United States Government.

We sent Mr. Ross word that we could not sign his pardon, and that all we desired was peace. But if they again commence killing us, we will certainly resist them with all the power and energy that we are masters of, without consulting consequences.

We are, sir, your humble servants,

GEORGE W. ADAIR,
J. A. BELL, and others.

General ARBUCKLE.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, September 2, 1839.

GENTLEMEN: Yours of the 30th ultimo, enclosing a copy of the decree of the Cherokee convention, under date of the 21st of August, has been received: and in answer I would advise you either to pass into the State of Arkansas, or to come to this post. In the latter case I will promise you protection, which it would be impossible to do with troops at the several residences of the persons claiming it.

I am, gentlemen, with great respect, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

J. A. BELL, and others.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, September 4, 1839.

GENTLEMEN: I received, on the 2d instant, from Geo. W. Adair, John A. Bell, and others, a copy of your decree of the 21st ultimo, by which it appears that they are required to appear before your convention on or before this date, otherwise to be regarded outlaws.

It is true that the decrees in relation to the individuals referred to, do not particularly state the principal offence with which they are charged; yet it is distinctly understood that the material offence for which they are outlawed (if they do not comply with the conditions of your decrees) is, their having signed a treaty made with the United States at New Echota, on the 29th day of December, 1835.

They have demanded protection from the Government of the United States; and inasmuch as said Government regarded the signers of the treaty referred to competent and duly authorized to conclude that treaty, it could not therefore be anticipated by the United States that any other portion of the Cherokee nation could or would attempt to hold said individuals criminally responsible for that act.

If they have made threats against any one or more individuals of the Cherokee nation, they ought certainly to give a suitable pledge or security to demean themselves in a peaceable manner, and to abstain from violence to any one.

I request that you will favor me with a reply to this communication by the return of the bearer.

I am, gentlemen, very respectfully, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

JOHN ROSS, Esq., and others,
In convention near the Illinois river.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. D.

No. 28.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, September 4, 1839.

SIR: I have not written a line to Mr. Ross or his convention since my letter to you of the 14th ultimo, nor have I since then received any communication from that convention.

I visited Fort Smith late in August, and understood, in passing through the Cherokee nation, that the emissaries of Mr. Ross were passing through the Cherokee country with the object of collecting and bringing to the convention as many of the old settlers as possible; and since my return here, I am informed that John Looney, one of the principal chiefs of the old settlers, has joined the late emigrants, and that a number of the old settlers had assembled and deposed the chiefs, Brown and Rogers, and declared them ineligible to any office of honor or profit in the Cherokee nation hereafter, in consequence of their having referred their dispute with the eastern Cherokees to the Government of the United States, and for other offences, of which I am not particularly informed; and it is said that this is the day on which an election is to take place at the convention ground for all the officers required for the new government of the Cherokee nation.

I am of the opinion, that Mr. Ross and his adherents have induced so many of the old settlers to join them, that the chiefs, Brown and Rogers, and their friends, will not attempt any resistance to the new government, yet the means that have been employed to establish that government will no doubt long disturb the harmony of the Cherokee nation, and be the cause of frequent quarrels and violence between individuals, or small parties.

You will herewith receive a copy of a decree of the convention, handed to me on the 2d inst., with a letter from George W. Adair, John A. Bell, and others, under date of the 30th ult., a copy of which is herewith enclosed; also of my reply thereto on the 2d inst.

I am in hopes that Adair, Bell, and others, who have offended by signing the late Cherokee treaty with the United States, will keep themselves out of the way of the friends of Mr. Ross, until instructions from the Government are received in relation to them.

I am, sir, very respectfully, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

Brigadier General R. Jones,
Adjutant General, Washington city.

P. S. Since writing the foregoing, I have addressed a communication to Mr. Ross and his convention, a copy of which is herewith enclosed.

M. A.

No. 29.

War Department,
Office Indian Affairs, August 20, 1839.

Sir: The recent murders which have been perpetrated in the Indian country, impose upon the Government the duty of arresting and bringing to punishment the individuals who have been guilty of these cruel and cold-blooded acts. It is supposed, as well from the nature, manner, and time of these dark deeds, as from letters received at the department, that the guilty men must be known in the territory, and, it is hoped, that with active vigilance they may be made to feel the just consequences of such atrocious conduct.

You are, therefore, instructed to adopt the most prompt and energetic measures to discover, arrest, and bring to condign punishment the murderers of the Ridges and Boudinot. This duty is enjoined by the dictates of humanity, as well as by law and the treaty of 1835. E. Boudinot was murdered by three men who called on him while engaged in the erection of a house with some workmen, who could probably say who they were; and the friends of the Ridges informed Mr. Stokes they knew many of the murderers of these persons.

Similar instructions will be issued to-day from the War Department, to General Arbuckle, and if you act in concert the likelihood of success will be greater.

Very respectfully, your obedient servant,

T. HARTLEY CRAWFORD.

Captain Wm. Armstrong,
Choctaw Agency west, Arkansas.

War Department, *August* 20, 1839.

Sir: The department has received, with great pain and sorrow, the unpleasant intelligence communicated by yourself and others of the cruel and wanton murders of Boudinot and the Ridges, chiefs of the Cherokee

Indians, which have recently been perpetrated. The information reached here during the absence of the Secretary of War at some distance, and the necessity of submitting the subject to him, and of receiving his instructions, has been productive of some delay in making known to you the views and wishes of the Government.

The following is the language of the Secretary, by which you will please be governed. "The most prompt and energetic measures ought to be adopted by General Arbuckle and Captain Armstrong, to discover, arrest, and bring to condign punishment the murderers of the Ridges and Boudinot."

The Commissioner of Indian Affairs has particularly instructed Captain Armstrong as to his duty in the case. Of these instructions I herewith enclose a copy for your information, and that you may have the benefit of the suggestion therein made, as to the manner in which the murderers may be identified. Very, &c.,

S. COOPER,
Acting Secretary of War.

Brigadier General M. ARBUCKLE,
Fort Gibson, Western Territory.

No. 30.

WAR DEPARTMENT, OFFICE INDIAN AFFAIRS,
October 8, 1839.

SIR: Your several communications of 20th and 27th August, and of 3d and 10th September, with their several enclosures, have been received.

It is with the deepest regret, the Secretary of War, to whom these papers have been submitted, and myself learn that the differences between the Cherokees still exist. It was hoped that the excitement would gradually subside, and that all the parties concerned would see that their immediate and permanent interests lay in composing the irritation which had so unhappily grown up among them, instead of which the difficulties are apparently increased, and each party more tenacious of the stand it has assumed. In all communities where there are diverse and inconsistent interests, there must be a yielding by each of what is most obnoxious to the other, and a meeting on some middle ground. It is on this principle that all associations of men are successfully maintained, and upon which only they can prosper. It was thus the United States framed their constitution, which has been always administered in a spirit of compromise, with wonderful advantage, as the world knows. Still there must always be, so long as the opinions and interests of men differ, parties who will advocate the views they severally entertain. How shall they be reconciled?

I am instructed by the Secretary of War, that the great and liberal principle of modern times is the only one, in his opinion, by which the Cherokee nation can be made one in feeling, interest, and government. That the majority shall rule, is an axiom in politics now substantially admitted almost every where, and one that must prevail universally. It is as applicable and its adoption as necessary to the Cherokees as to other com-

munities. It is, therefore, recommended to the Cherokee nation of all parties to assemble in national council, and as one people to determine on such laws and regulations, as the larger number of them shall think best calculated to ensure their prosperity and happiness. To this point it must come. The minority, unless it amount to a nearly equal proportion, must eventually yield to the great mass, whether they arrange their difficulties in a pacific temper, or a resort be had to violence. If the former course shall be happily taken, I do not doubt the magnanimity of the majority will induce them to concede all the reasonable requests of the weaker division.

You will please to press this view of the department upon the Cherokees, and communicate a copy of this letter to each of the parties among them.

I regret the determination of one of the parties to send two delegates to Washington. It is thought the existing difficulties are understood, and that no benefit can result from the visit, which, if Messrs. Bell and Watie have not undertaken the journey upon the receipt of this communication, you will discourage by all the means you may think judicious.

I observe in the letter of Messrs. John Ross and others to you, of 13th August, that an inquiry is made whether you have received funds for the Cherokee nation, and if not, the cause of the "extraordinary delay." In answer to this remark I would observe, that an official communication was made by Messrs. John Ross and others, on 21st June, 1839, to M. Stokes, Esq., the Cherokee agent, of which there is a copy on file in this office, requesting, "through your official authority, that no disbursements of moneys due to those whom we represent, nor any other business of a public character affecting their rights, be made or transacted by the agents of the Government with any other Cherokee authority than the undersigned, until a reunion of the people shall be effected;" and that the form of an address by the opposite party to the Secretary of War, was adopted on the 20th August, a copy of which was enclosed in yours of 10th September, that contains the following: "They ask that the money due to the Cherokee people under the treaty be not paid to a party who acknowledge not its sanction, destroy its framers, and yet, with their characteristic cupidity, seek to appropriate its benefits to accomplish the ambitious purposes of their leaders."

In regard of the appeal of Messrs. Brown, Looney, and Rogers, in which they ask to be sustained "in the enjoyment of our rights, and in the execution of our laws, and that the lives and liberties of all our citizens may be protected from violence and disturbance," and the communication of Messrs. John Ross and others protesting against the appeal, it may be proper to refer to the treaty of 1835. By the 5th article, the United States engage to "secure to the Cherokee nation the right, by their national councils, to make and carry into effect all such laws as they may deem necessary for the government and protection of the persons and property within their own country belonging to their people, or such persons as have connected themselves with them;" by the 6th article, the United States "agree to protect the Cherokee nation from domestic strife and foreign enemies, and against intestine wars between the several tribes." Against the operation of such laws as a majority of

the Cherokee nation may pass and enforce, the United States cannot protect or defend any portion of the tribe—so far from it, they are bound to secure the right to the nation, through the national council. of devising and executing laws. In their dissensions, therefore, concerning domestic polity, the United States cannot interfere, but against personal violence or "domestic strife," without or against law, the Cherokees will be protected.

The course pursued by General Arbuckle towards "the committee of the Cain Hill independent regulators," is approved. The department can lend no countenance whatever to such proceedings, and will recognise no effort at punishing any man except through the laws of the land. The Cherokees are entitled to be free from "interruption and intrusion from citizens of the United States, who may attempt to settle in their country without their consent," and still more from any interference with their persons, unless authorized by law, which affords ample means for securing the innocent and punishing the guilty.

Very respectfully, your obedient servant,

T. HARTLEY CRAWFORD.

Capt. Wm. Armstrong,
Choctaw Agency West.

War Department, *October* 12, 1839.

Sir: Your communications of the 4th ultimo and others, addressed to the Adjutant General, have been submitted to me and duly considered. The letter of the commissioner of Indian affairs to the agent will have informed you of the views of this department in relation to the political differences unfortunately existing between the former and recent emigrants of the Cherokee nation. It is highly desirable. and it is the wish of the Government, that they should assemble in council together, and be governed by the declared will of the majority of the whole nation fairly and properly obtained. But while this principle will govern the department in the exercise of their superintendence over the tribe, it will not suffer that majority to exercise any tyranny towards those persons who may be odious to them, nor especially to commit any outrages upon those Cherokees who signed or adhered to the treaty of New Echota. The news of the cruel murder of the Ridges was received with just indignation by the department, and the summons to George W. Adair, J. A. Bell, and others to appear before the council on the 4th September, to answer for their conduct in signing that treaty, is regarded as a gross usurpation of power which will not be sanctioned or allowed. Whatever may be the opinion of the chiefs and people who emigrated last as to the character of that transaction, they shall not be permitted to punish or persecute those who, in good faith and with upright and honest intentions, executed that instrument, and faithfully complied with its provisions.

You will, without delay, communicate this determination of the department to the chiefs and head men of the Cherokee nation, and will convey to me, with all possible despatch, their reply, in order, if they persist in their unjustifiable measures, that prompt and efficient steps may be taken

to protect the parties threatened with further outrage, and to bring to justice the perpetrators of such acts of violence.

I am, sir, your obedient servant,
J. R. POINSETT.

Brig. Gen. M. ARBUCKLE,
Fort Gibson, Western Territory.

No. 31.

AQUOHEE CAMP, *August* 1, 1838.

Whereas, the title of the Cherokee people to their lands, is the most ancient, pure, and absolute known to man: its date is beyond the reach of human record; its validity confirmed and illustrated by possession and enjoyment antecedent to all pretence of claim by any other portion of the human race:

And whereas, the free consent of the Cherokee people is indispensable to a valid transfer of the Cherokee title: and whereas, the said Cherokee people have neither by themselves, nor their representatives, given such consent; it follows that the original title and ownership of said lands still vest in the Cherokee nation unimpaired and absolute:

Resolved, therefore, By the national committeee and council, and people of the Cherokee nation, in general council assembled, That the whole Cherokee territory, as described in the first article of the treaty of 1819, between the United States and the Cherokee nation, still remains the rightful and undoubted property of the said Cherokee nation. And that all damages and losses, direct or incidental, resulting from the enforcement of the alleged stipulations of the pretended treaty of New Echota, are in justice and equity chargeable to the account of the United States.

And whereas, the Cherokee people have existed as a distinct national community, in the possession and exercise of the appropriate and essential attributes of sovereignty, for a period extending into antiquity beyond the dates and records and memory of man:

And whereas, these attributes, with the rights and franchises which they involve, have never been relinquished by the Cherokee people, but are now in full force and virtue.

And whereas, the natural, political, and moral relations subsisting among the citizens of the Cherokee nation towards each other, and towards the body politic, cannot in reason and justice be dissolved by the expulsion of the nation from its own territory by the power of the United States' Government:

Resolved, therefore. By the national committee and council, and people of the Cherokee nation, in general council assembled, That the inherent sovereignty of the Cherokee nation, together with the constitution, laws, and usages of the same, is, and by the authority aforesaid, is hereby declared in full force and virtue, and shall continue so to be, in perpetuity, subject to such modifications as the general welfare may render expedient.

Resolved, further, That the Cherokee people, in consenting to an investigation of their individual claims, aud receiving payment upon them, and for their improvements, do not intend that it shall be so construed as yielding or giving their sanction or approval to the pretended treaty of 1835: nor as compromitting, in any manner, their just claim against the United States hereafter, for a full and satisfactory indemnification for their country, and for all individual losses and injuries.

And be it further Resolved, That the principal chief be, and he is hereby authorized to select and appoint such persons as he may deem necessary and suitable for the purpose of collecting and registering all individual claims against the United States, with the proofs, and to report to him their proceedings as they progress.

RICHARD TAYLOR,
President National Council.
GOING SNAKE,
Speaker of Council.

Stephen Foreman, *Clerk Nat. Committee.*

Capt. Brown,	Howestee,
Toonowee,	Beaver Carrier,
Katelah,	Samuel Christee,
Ooyah Kee,	Kotaquaskee,
Richard Foreman,	Yoh-natsee,
William,	Samuel Foreman.

Signed by a Committee in behalf of the people.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 32.

Head Quarters, 2d Dept., W. Division,
Fort Gibson, Sept. 4, 1839.

Gentlemen: I received on the 2d inst. from Geo. W. Adair, John A. Bell, and others, a copy of your decree of the 21st ultimo, by which it appears that they are required to appear before your Convention on or before this date, otherwise to be regarded outlaws.

It is true that the decrees in relation to the individuals referred to do not particularly state the particular offence with which they are charged, yet it is distinctly understood that the material offence for which they are outlawed, if they do not comply with the conditions of your decree, is their having signed a treaty made with the United States at New Echota, on the 29th of December, 1835.

They have demanded protection from the Government of the United States, and inasmuch as the said Government regarded the signers of the treaty referred to competent to conclude *that* treaty, it could not therefore have been anticipated by the Government of the United States, that any other portion of the Cherokee nation could, or would, attempt to hold said individuals criminally responsible for that act.

If they have made threats against any one or more individuals of the Cherokee nation, they ought certainly to give a suitable pledge or security to demean themselves in a peaceable manner, and to abstain from violence against any one.

I am, gentlemen, very respectfully, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

John Ross, Esq., and others,
In convention near the Illinois river.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

IN CONVENTION.

TAHLEQUAH, CHEROKEE NATION, *Sept.* 5, 1839.

SIR: Your note of the 4th inst. has just been submitted before us.

You were some time past furnished with a copy of the decree of the Cherokee people, and the subsequent *order* extending to those affected a longer time to comply with its provisions. The convention engaged in maturing a Government suited to the Cherokees under the act of the union, being on the eve of closing their duties, passed a second order, (a copy of which it seems you have received, requesting the appearance of those affected by the 4th inst. to give such pledges for their personal behavior as might ensure security to the lives of our citizens.

The convention in its course has given evidence of the anxiety which exists to restore peace and quietude throughout the country; and it is much regretted that efforts so laudable, directed to an object so much desired by the whole Cherokee people, has not been crowned with merited success.

It surely cannot be deemed compatible with the interests of our country, that a few misguided individuals should be permitted to threaten and jeopard the lives of our most worthy citizens with impunity, and that such is the fact, we apprehend, you have already abundant proof.

Very respectfully, your obedient servants.

GEORGE LOWRY, *Pres't. Convention.*

Hair Conrad,
John Benge,
Thomas Candy,
Archibald Campbell,
John Drew,
George Guess,
W. S. Adair,
Young Elders,
W. S. Coodey,
Thomas Foreman,
Thos. H. Taylor,
Lewis Melton,
Richard Taylor,
Logan,
James Spears,
John Spears,
Stephen Foreman,
Young Glass,
Looney Price,
Tobacco Will,
Major Pullum,
Elijah Hicks,
Moses Parris,
G. W. Gunter,
The Hawn.
Young Wolf,
J. M. Lynch,
George Brewer,
Joshua Buffington,
Jesse Bushyhead.
Jesse Russell.
John F. Boot.
Crying Buffalo.
Bark Flute.
Oo-la-yo-ee.
Softshell Turtle.
Edward Gunter.
Daniel Colston,
Lewis Ross,
George Hicks,
Turtle Fields,
Tah-lah-see-nee.
James Brown.

By order of the convention.

JOHN ROSS,
JOHN LOONEY, his x mark.

M. ARBUCKLE, *Brevet Brig. General, U. S. A.*

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 33.

Fort Gibson, September 28, 1839.

SIR: We are required, by instructions from the War Department, to arrest and bring to trial the murderers of the Ridges and Boudinot. Although we have the names of several of the individuals charged, yet, as you are the chief of the emigrant Cherokees, by some of whom we have no doubt these murders were perpetrated, we therefore deem it proper to apprize you of this order.

We believe that you can have the persons charged delivered at this post without resorting to other means, which it is our wish to avoid. Should we be disappointed in our expectations in this particular, the military force of the United States will be employed in carrying out the instructions of the War Department.

In the meantime, we expect and require of you, that no violence or disability whatever be imposed on the treaty party in consequence of the treaty of 1835, which has received the sanction of the Government of the United States.

We extremely regret the unfortunate events to which we have referred, and also that no union has taken place between the eastern Cherokees, of whom you are the acknowledged head, and John Brown, principal chief of the western Cherokees. An early reply to this communication is requested.

Respectfully, your very obedient servants,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.
WM. ARMSTRONG,
Acting Superintendent, W. T.

JOHN ROSS,
Principal Chief of the late emigrant Cherokees.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adj. Gen., 2d Dept., W. Div.

TAHLEQUAH, CHEROKEE NATION,
September 30, 1839.

GENTLEMEN: Your communication of the 28th inst. came duly to hand by express.

You apprize me of having received instructions from the War Department to arrest and bring to trial the murderers of the Ridges and Boudinot, "and express expectations that I will arrest the persons charged, and deliver them over to the military post at Gibson, without resorting to other means."

I hold myself at all times in readiness, so far as I may be concerned, to comply with the established regulations between the United States and the Cherokee nation. And for all offences which may be committed by individual Cherokees, and over which the United States may have proper jurisdiction, and their courts cognizance, assuredly I could not in duty to the nation and to myself but exercise all necessary and proper efforts to sustain and preserve unimpaired the confidence and friendship of both parties. You cannot be otherwise than fully impressed with the fact, that

there exists in this country a feeling decidedly friendly to the Government and people of the United States, and no wish or attempt to cause innovation in the plain and well-understood method of communication and intercourse.

In relation to the particular subject of "arrest and trial" of which you speak, I am wholly at a loss to conjecture by what right or sound policy the Cherokee people are to be deprived of the exercise of their own legitimate authority over acts of one Indian against another; an authority founded upon *natural* as well as conventional rights; I cannot conceive how, if the persons charged be Cherokees, they have violated either treaty stipulation or act of Congress, that they should be held answerable to the courts of the United States, and the military force employed for their arrest. Any effort directed to that purpose is deprecated as calculated to disquiet the country, to weaken the confidence of the people in their exertions to allay excitement, and the enjoyment of some respite from the difficulties and embarrassments which have so long distressed them. None of the persons, charged with the act you are instructed upon, are known to me; some of them may be of the late emigrants, or all, for aught I know; nor do I feel that it is again necessary for me to revive the subject among the people, when you are doubtless apprized that they themselves, in convention, considered and disposed of the matter in a manner satisfactory to the whole Cherokee people. You express regret "that no union has taken place between the eastern Cherokees and John Brown, principal chief of the western Cherokees." This may be true to some extent, yet it is equally true that a union has been formed between the eastern and western Cherokee people. To that union, if it has pleased some to withhold their approbation, and among them John Brown, still the people acted for themselves: they are the acknowledged source of power in this country, and their original acts require not the sanction of any chief to accredit it with authority.

Many of the old settlers who could not attend in person forwarded their names to be enrolled upon that act. Although the fact may not have been formally announced to you, yet it was believed that you were informed of the adoption of a constitution for the government of the Cherokee nation in accordance with the act of union. Elections have also taken place under its provisions for officers, &c., and the national council composed both of the *old settlers* and *emigrants*, without, however, any distinction, are now about to terminate its session, having been engaged in passing such laws as were required for the security and protection of the persons and property of the people. From these facts, I trust that you will be fully convinced of the earnest desire of the Cherokees to preserve and maintain the peace and friendship which have so long subsisted between them and the United States.

I have the honor to be, gentlemen, very respectfully, your obedient servant,

JOHN ROSS, *Principal Chief.*

Brevet Brig. Gen. M. ARBUCKLE, *U. S. A.*
and Capt. WM. ARMSTRONG,
Acting Superintendent, W. T., Fort Gibson.

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

HEAD QUARTERS, 2d DEPT., W. DIVISION,
Fort Gibson, October 2, 1839.

SIR: I have the honor herewith to transmit, for the information of the Government, a copy of a communication addressed to John Ross, principal chief of the late emigrant Cherokees, by Captain William Armstrong and myself, under date of the 28th ultimo; also a copy of a letter addressed by me to Mr. Ross and his convention, under date of the 4th ulimo, and their reply of the 5th. By the latter it would appear, that I am informed that Bell, Star, and others have made threats against Mr. Ross and his friends. I am apprized that several of those that assisted in making the treaty of 1835 would have killed Mr. Ross at the moment they heard of the Ridges and Boudinot being murdered, from the belief that he was the cause of their murder. These individuals took protection at this post for several days, and when they left it they declared they would look to the Government to punish the murderers, and all, except one, assured me that they would pledge themselves to keep the peace, if nothing more was required of them. After their departure from this post they were informed of their having been deprived of their rights as Cherokees, and that to be permitted to live they were required to submit to great humiliation.

I have this evening received a letter from Mr. Ross, a copy of which is herewith transmitted, (who styles himself principal chief, notwithstanding the old chiefs, Brown and Rogers, still consider their authority unimpaired.) I hope that within a short time a peaceable and friendly union will take place between the whole of the Cherokees.

I am not of the opinion, from the sentiments expressed by Lewis Ross, and Messrs. Vann and Price, Cherokees, who conveyed to me the letter above referred to from Mr. John Ross, that the troops of the United States will be opposed in apprehending the murderers of the Ridges and Boudinot, notwithstanding I am well apprized that there is a strong desire to protect them from punishment by the greater portion of the Cherokee people. A want of time prevents me from saying more on this subject at present.

I am, sir, very respectfully, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

Brig. Gen. R. JONES,
Adjutant General, Washington city.

HEAD QUARTERS, 2D DEPT., W. DIVISION,
Fort Gibson, October 8, 1839.

SIR: I had the honor to transmit, for the information of the Government, on the 2d instant, the copy of a demand to Mr. Ross by Captain Armstrong and myself for the murderers of the Ridges and Boudinot, together with his reply thereto, in which he not only refuses to deliver them up, but denies the right of the United States to try or punish them. Mr. Ross also denies any knowledge of the murderers, yet, from information received not only from his enemies but his friends, it appears that the death of the Ridges and Boudinot was determined on at the Double

Spring council ground in June last, and that the party that killed John Ridge started from that council ground for that express purpose; and John Ross was at this time performing the duties of head man, or principal chief, of the emigrant Cherokees—still he denies any knowledge that these acts were to be committed, or of the persons who committed them. These circumstances, together with the subsequent proceedings of Mr. Ross, with which you have been furnished, will enable the Government to judge for itself as to the truth of Mr. Ross's assertions.

Although I have received assurances from some of the principal men of the Cherokee nation, that no resistance would be made to the troops in executing the orders of the Government, yet I have subsequently received information that Daniel Colston, one of the individuals implicated, says he will assemble his friends and sell his life as dearly as possible, should any attempt be made to take him; and I am apprehensive, that, notwithstanding the influence of the chiefs will be exerted to prevent the lower class of Indians from opposing the troops, they may be induced to do so in consequence of the excited state of feeling in the Cherokee nation at this time. Information has also been received, that, since the demand for the murderers, John Ross has sent beads and tobacco to the chief of the upper Creeks; and, it is presumed, has made similar friendly overtures to the surrounding tribes. These circumstances, together with my own conviction that the troops may be opposed, and thereby cause a war between the United States and the Cherokee nation, have induced me to notify the Governor of Arkansas that the militia of the State may be required; and also to request the Governor of Missouri to have a brigade near the southwestern border of his State in readiness to turn out to defend their border—at the same time informing him that I was not authorized by the Government to make this call, yet circumstances might render such a measure necessary.

I have also requested the Creeks to organize themselves into companies and regiments, that they might act in conjunction with other troops, should their services be required by the United States. Although I believe that the great majority of the Creek nation are friendly disposed towards the United States at this time, still I know not how far the measures of Mr. Ross may affect them; I cannot believe so far as to cause them to act against the United States, but perhaps to remain neutral. Some of the band of Alligator, a Seminole chief, who has located himself in the Cherokee nation, with about one hundred warriors, lately paid a visit to John Ross.

The demand for the murderers would have been deferred until the dragoons were ready to act, (which they were not, in consequence of being separated from their horses,) had it not been supposed by Captain Armstrong and myself, that such a demand would prevent others of the treaty party from being killed—an attempt having been made to that effect but a short time previous.

Lieut. Colonel Mason has now sent for his horses, and I shall be able in a week or two to commence operations in seizing such individuals as have been, or may be reported to me, who will, I have no doubt, (if they do not determine on resistance,) leave the country so soon as they find they are closely pressed by the troops.

I deem it necessary to remark, that the small number of officers present with the dragoons, and the sickly condition of his men, will render Colo-

nel Mason's command less efficient than I could wish—as it will be seen that the dragoon force is best suited for the service required.

I am, sir, respectfully, your obedient servant,

M. ARBUCKLE,
Brevet Brig. General, U. S. A.

Brig. General R. Jones,
Adjutant General, Washington city.

Choctaw Agency West,
October 10, 1839.

Sir: In obedience to your instructions I called on General Arbuckle, and after consulting with him upon the subject of arresting the murderers of the Ridges and Boudinot, we deemed it most prudent to make a demand of the murderers from Mr. Ross, as chief of the emigrants by whom the murders were committed. Owing to the small force, together with the fact that a portion of the command was at Fort Wayne preparing stables, &c., for the horses belonging to the dragoons, the General was not prepared to have attempted to arrest those of the murderers whose names had been furnished us; to have delayed until he could have been prepared might have endangered the lives of others of the treaty party, who were liable to be murdered at any time, and were at the time concealed in the nation, and at times within the State of Arkansas. When it was known that the Government had demanded the murderers, the Ross party would probably refrain from further bloodshed. Before any thing was done, we saw the Creek chiefs; we were aware that Mr. Ross had been sending tobacco with friendly talks to them, and would probably continue to be as troublesome as he could. While every exertion should be used, and no effort left undone to preserve peace, it seemed proper to counteract any unfavorable impression that might be made or attempted on any of the other tribes. I visited the Choctaw general council; I found that the proceedings of Mr. Ross's council had been sent to one of the chiefs. I cannot think that the Cherokees will resist, especially as they will find themselves unaided by their red brethren. When General Arbuckle sends out a command to take the murderers, if resistance is made at all, it will be then. It is, however, very hard to tell what course Mr. Ross will adopt.

My great object has been to inform the surrounding tribes of the true state of things. Without their co-operation, I cannot think that any difficulty will arise.

Very respectfully, your most obedient servant.

WM. ARMSTRONG.
Acting Superintendent, W. T.

T. Hartley Crawford, Esq..
Commissioner of Indian Affairs, Washington city.

No. 34.

War Department, *November* 9, 1839.

Sir: Your several communications with their enclosures, relating all to the extraordinary conduct and unwarrantable pretensions of the Cherokee chiefs, have been received and considered with all the care and attention their importance demands.

The President recognised the right of the majority of the Cherokees to frame a constitution, and to enact all laws necessary for the government of the nation: but at the same time he supposed that this right would be exercised judiciously, and in a manner not calculated to authorize murder and excite intestine commotions. The chiefs and council of the Cherokee nation cannot be ignorant that to condemn to outlawry and death the chiefs who, in the exercise of the authority vested in them, signed a treaty with the United States, for the alleged crime of executing that instrument, is to exceed the powers vested in them as legislators, and that such acts are as illegal as they are cruel and vicious. The Government of the United States is not disposed to interfere with the enactment or the execution of laws which do not violate natural rights, lead to domestic strife, and provoke intestine wars; but in all such cases it becomes its paramount duty to interpose, and in this instance treaty stipulations positively require the performance of that duty.

In the remonstrance of the chiefs against the demand of the United States for the murderers of the Ridges and Boudinot to be delivered up to them, they say that "such persons are not amenable to the laws of the United States, and ought not to be arrested and imprisoned for murdering an Indian, because the United States courts can entertain no jurisdiction of a crime committed by an Indian against the person and property of another Indian." The chiefs who signed that document labor under an error, and the interests of all concerned require that they should be promptly disabused. The Government of the United States has a right to take all proper measures to preserve the peace of the country, and to protect the innocent against the vindictive passions of their persecutors, who, in sating their vengeance, may compromit that important interest. This sovereign right cannot be relinquished. The provisions of the treaty of 1835 render it the imperative duty of the Government to extend their protection to the western Cherokees, who have been thus cruelly assailed by the late emigrants: and they can do so in no manner so effectually as by seizing and punishing the assassins who murdered the Ridges and Boudinot. Besides, it is stated that the elder Ridge, who was put to death with so much barbarity, was slain within the boundary of the State of Arkansas, which renders it still more imperative upon us to demand the delivery of these men. I would suggest, however, that in all such instances it will be better to confine the demand to the leaders of the parties that committed the crime.

With respect to the conduct of John Ross, in sending wampum and warlike talks to the Creek and Seminole chiefs, and, as is supposed, thereby seeking to excite hostile feelings against the United States, the same exercise of sovereign power on the part of the Government, and the same treaty obligations to preserve and maintain the peace of the country, to protect the Cherokee nation from domestic strife and against in-

testine wars between the several tribes before adverted to, will, in the opinion of this department, authorize the arrest of such chiefs of the Cherokee nation who foment internal dissensions, and seek to form alliances with other tribes, for the purpose of involving the country in war. The right to arrest Ross and hold him to bail to be tried in the courts of the State of Arkansas is undoubted under the non-intercourse law; but under that law the punishment is very inadequate to the offence. and therefore, if it be judged proper to arrest him. he must be held liable for both misdemeanors. In exercising the authority hereby vested in you, it is expected by the department that you will do so with the utmost discretion, and in such a manner as not to endanger the peace of the country. The department regards the permanent maintenance of peace as a much higher obligation than the punishment of the guilty, and you will constantly have this in view in the discharge of the important duty with which you are intrusted.

In order to enable you to act with vigor, if it becomes necessary to use the military force under your orders, Col. Kearney has been directed to join you with the disposable force of his regiment with all despatch, and before you receive this Col. Many will be in march from Fort Jesup with his command.

The superintendent, Major Armstrong, will be instructed to pay no more money to the Cherokees until this matter is settled and the country pacified; and the department will very shortly communicate its views to you on the subject of the extraordinary protest of John Ross and others, in relation to the Cherokee lands east acquired by the United States by treaty, and now in the possession of the States entitled to them.

I have the honor to be your obedient servant,

J. R. POINSETT.

Brig. Gen. M. Arbuckle,
Fort Gibson, Arkansas.

War Department,
Office Indian Affairs, November 9, 1839.

Sir: I am instructed by the Secretary of War to inform you that no further payments will be made to the Cherokees until the excitement now existing in the nation is composed, and their difficulties settled; and this determination I have to request that you will communicate to the Indians immediately on the receipt hereof. Should any of the agents have moneys in a course of disbursement, you will please to arrest it until otherwise directed.

This instruction is not intended to interfere with the issuing of rations to them in completion of the year's subsistence.

Very respectfully, your obedient servant,

T. HARTLEY CRAWFORD.

Capt. Wm. Armstrong,
Choctaw Agency West.

No. 35.

TAHLEQUAH, CHEROKEE NATION,
October 13, 1839.

SIR: The national council, which has been for some time in session at this place, adjourned yesterday: the two communities of the Cherokee people having by their act of union become one, and such measures for the preservation of order and the advancement of the general welfare as seemed to have been required adopted.

Various important questions and much business with the Government of the United States, both of a public and private character, yet remain in an unsettled state, and which require to be adjusted as early as practicable; the council, therefore, determined upon the expediency of appointing a delegation to Washington, with proper authority for this purpose. The following persons were appointed a delegation: John Ross, principal chief, W. Shorey Coodey, Edward Gunter, Richard Taylor, Joseph M. Lynch, Looney Price, John Looney, Elijah Hicks, and Jesse Bushyhead; which we report to you in order that it may be communicated to the Government.

The Cherokees have no desire other than the promotion of their welfare, and the cultivation of the utmost good feeling and friendship for the United States.

We flatter ourselves that henceforward there will exist no local cause to disquiet public feeling, and that harmony will prevail uninterrupted throughout the country. That there may possibly be a few disaffected persons is not unlikely: they are to be found in all communities; but no danger is apprehended to the peace of the country. The wholesome operation of the laws will prevail as a remedy for such evils, and we trust the agents and officers of the Government will not permit the wanton fabrications from such a source to cause doubt of the correct and just course of the nation in all of its public transactions.

It may also be proper to apprize you that Mr. Lewis Ross has been appointed national treasurer, and who is authorized to receive any public funds which may be transmitted for payment to the Cherokees.

Very respectfully, your obedient servants.

W. SHOREY COODEY, *Pres. of Nat. Committee.*
YOUNG WOLF, *Speaker of Council.*

JOHN ROSS, *Principal Chief.*
J. VANN, *Assistant Chief.*

M. STOKES, Esq., *U. S. Agent for Cherokees.*

True copy.

S. G. SIMMONS, *A. D. C.*
and A. A. Adjt. Gen., 2d Dept., W. Div.

No. 36.

Statement exhibiting the amount of investments for Indian account in State stocks.

Names of the tribes for whose account the stock is held in trust.	Names of the States which issued the bonds.	Rate of interest—per cent.	Amount of each lot of bonds.	Aggregate amount of the bonds for each tribe.	Amount of the annual interest on each lot of bonds.	Aggregate amount of the annual interest for each tribe.	Amount of the cost of each lot of bonds.	Aggregate cost of the bonds for each tribe.	When the interest is payable.	Where the interest is payable.	Where the interest is deposited until wanted for application.	Treaties, on reference to which it may be seen for what objects the interest is to be applied.
Cherokees - -	Kentucky	5	$94,000 00	–	$4,700 00	–	$94,000 00	–	Semi-ann'ly	Philadelphia	B'k America, N. Y.	Treaty Dec. 1835, and supplementary, March 7, 1836.
Do. - -	Tennessee	5	250,000 00	–	12,500 00	–	250,000 00	–	Do.	Do.	Do. -	Do.
Do. - -	Alabama	5	300,000 00	–	15,000 00	–	300,000 00	–	Do.	New York	Do. -	Do.
Do. - -	Maryland	6	761 39	–	48 68	–	880 00	–	Quarterly	Baltimore	Do. -	Do.
Do. - -	Michigan	6	64,000 00	–	3,840 00	–	69,120 00	–	Semi-ann'ly	New York	Do. -	Do.
				$708,761 39		$36,085 68		714,000 00				
Do. (schools) -	Maryland	5	41,138 00	–	2,056 90	–	42,490 00	–	Quarterly	Baltimore	Do. -	Treaty Feb. 27, 1819.
Do. - -	Missouri	5½	10,000 00	–	550 00	–	10,000 00	–	Semi-ann'ly	New York	Do. -	Do.
				51,138 00		2,606 90		52,490 00				
Ottowas, Chippewas, and Pottawatomies -	Maryland	6	130,850 43	–	7,851 02	–	150,000 00	–	Quarterly	Baltimore	Do. -	Treaty Sept. 1832, (mills).
Do. do. do. -	Indiana	5	68,000 00	–	3,400 00	–	72,264 09	–	Semi-ann'ly	New York	Do. -	Treaty Sept. 1833, (education)
				198,850 43		11,251 02		222,264 09				
Incompetent Chickasaws	Indiana	5	58,000 00	–	2,900 00	–	57,291 89	–	Do.	Do.	Do. -	Treaty May, 1834.
Do. - -	New York	5	30,000 00	–	1,500 00	–	29,729 17	–	Quarterly	Do.	Do. -	Do.
Do. - -	Maryland	6	131,230 44	–	7,873 83	–	151,479 06	–	Do.	Baltimore	Do. -	Do.
Do. - -	Kentucky	5	150,000 00	–	7,500 00	–	146,375 00	–	Semi-ann'ly	Louisville	Bank of Kentucky	Do.
				369,230 44		19,773 83		384,875 12				
Chickasaw orphans -	Arkansas	5	–	146,000 00	–	7,300 00	–	146,000 00	Do.	New York	B'k America, N. Y.	Do.
Shawnees - -	Maryland	6	29,341 50	–	1,760 49	–	33,912 40	–	Quarterly	Baltimore	Do. -	Treaty August, 1831.
Do. - -	Kentucky	5	1,000 00	–	50 00	–	980 00	–	Semi-ann'ly	New York	Do. -	Do.
				30,341 50		1,810 49		34,892 40				
Senecas - -	Kentucky	5	–	5,000 00	–	250 00	–	4,900 00	Do.	Do.	Do. -	Treaty Feb. 1831.
Senecas and Shawnees -	Kentucky	5	6,000 00	–	300 00	–	5,880 00	–	Do.	Do.	Do. -	Treaty July, 1831.
Do. do. -	Missouri	5½	7,000 00	–	385 00	–	7,121 87	–	Do.	Do.	Do. -	Do.
				13,000 00		685 00		13,001 87				
Kanzas - - -	Missouri	5½	–	18,000 00	–	990 00	–	18,000 00	Do.	Do.	Do. -	Treaty June, 1825.
Creek orphans - -	Alabama	5	82,000 00	–	4,100 00	–	82,000 00	–	Do.	Do.	Do. -	Treaty March, 1832.
Do. - -	Missouri	5½	28,000 00	–	1,540 00	–	28,487 48	–	Do.	Do.	Do. -	Do.
				110,000 00		5,640 00		110,487 48				
Menomonies - -	Kentucky	5	–	77,000 00	–	3,850 00	–	75,460 00	Do.	Do.	Do. -	Treaty Sept. 1836.
Chippewas and Ottowas	Kentucky	–	77,000 00	–	3,850 00	–	75,460 00	–	Do.	Do.	Do. -	Treaty March, 1836.
Do. do. -	Michigan	–	3,000 00	–	180 00	–	3,000 00	–	Do.	Do.	Do. -	Do.
				80,000 00		4,030 00		78,460 00				
				1,807,321 76	–	94,272 92	–	1,854,830 96				

WAR DEPARTMENT,
Office Indian Affairs.

No. 36—Continued.

Statement exhibiting the amount of interest appropriated by Congress to pay the following tribes in lieu of investing the sums provided by the treaties in stocks.

Names of tribes.	Amount provided by treaties to be invested in safe stocks.	Annual interest appropriated by Congress.	Treaties.
Ottowas and Chippewas - -	$200,000 00	$12,000 00	Resolution of the Senate.
Osages - - - -	69,120 00	3,456 00	Resolution of the Senate, Jan. 19, 1838.
Delawares - - - -	46,080 00	2,304 00	Treaty, 1832.
Sioux of Mississippi - - -	300,000 00	15,000 00	Treaty, September 29, 1837.
Sacs and Foxes of Mississippi - -	200,000 00	10,000 00	Treaty, October 21, 1837.
Sacs and Foxes of Missouri - -	157,400 00	7,870 00	Treaty, October 21, 1837.
Winnebagoes - - - -	1,100,000 00	55,000 00	Treaty, November 1, 1837.
Creeks - - - - -	350,000 00	17,500 00	Treaty, November 23, 1838.
Iowas - - - - -	157,500 00	7,875 00	Treaty, 1837.
	2,580,100 00	131,005 00	

War Department,
Office Indian Affairs.

No. 37.—*Statement of the number and location of Indian schools, scholars, and teachers, embracing all which derive any benefit from education annuities, or the civilization fund, so far as reports have been received.*

Name of principal.	Tribe instructed.	Location of school.	No. of teachers.	Scholars. No. of boys.	Scholars. No. of girls.	Scholars. Total.	Denomination.
Michigan Superintendency.							
Right Rev. Frederick Résé	Ottowas and Chippewas	L'Arbre Croche	1	30	34	64	Catholic.
		Village of the Cross	1	32	10	42	
		Sault de Ste. Marie	1	-	-	32	
		Point St. Ignace	1	-	-	46	
		Michilimackinac	1	-	-	46	
Bishop McCoskry	Ottowas	Barry county, Michigan	1	-	-	-	Protestant Episcopal.
Rev. Peter Dougherty	Ottowas and Chippewas	Grand Traverse	2	-	-	12	Presbyterian.
Rev. Leonard Slater	Ottowas	Ottowa Colony	1	15	11	26	Baptist.
Rev. Abel Bingham	Chippewas	Sault de Ste. Marie	1	6	4	10	Baptist.
Rev. W. H. Brockway	Do.	Little Rapids	1	-	-	24	Methodist Episcopal.
			11			302	
Wisconsin Superintendency.							
Rev. A. McDowell	Winnebagoes	Near Prairie du Chien	5	43	36	79	Baptist.
Rev. Sherman Hall	Chippewas	La Pointe, Lake Superior	4	42	30	72	Amer. Board Commis. For. Mis.
Rev. Francis Pierz	Do.	Grand Portage	1	43	32	75	Catholic.
Rev. F. J. Van De Berck	Menomonies	Little Shute of Fox river	-	20	21	41	Catholic.
Rev. Solomon Davis	Oneidas, (Christian party)	Duck creek, near Green bay	-	-	-	26	Episcopal.
Rev. Daniel Poe	Do. (Orchard party)	Do. do.	-	-	-	25	Methodist.
Rev. Cutting Marsh	Stockbridge	Eastern shore of Lake Winnebago					
			10			318	
Iowa Superintendency.							
Rev. T. S. Williamson	Wah-pee-ton Sioux	Lac-qui-parle	4	46	44	90	Amer. Board Commis. For. Mis.
Rev. F. L. Denton	Med-a-wa-kanton do.	Wabisha's village	2	-	-	-	Swiss Foreign Board.
Rev. D. Gavin	Do. do.	Lake Pepin	2	-	-	-	Swiss Foreign Board.
Rev. J. D. Stephens	Do. do.	Lake Harriet	3	-	-	-	Amer. Board Commis. For. Mis.
			11			90	

No. 37—Continued.

Name of principal.	Tribe instructed.	Location of schools.	No. of teachers.	Scholars. No. of boys.	No. of girls.	Total.	Denomination.
St. Louis Superintendency.							
Moses Merrill - -	Ottoes and Missourias -	Ottoe village - - -	2	17	5	22	Not known.
Elias Newby - -	Shawnees - - -	Fort Leavenworth agency -	-	-	-	13	Friend's Society.
Johnson Lykins - -	Do. - - -	Do. do. - -	-	6	4	10	Baptist.
(Not known) - -	Do. - - -	Do. do. - -	-	14	7	21	Methodist.
Rev. Mr. Kinnear - -	Kickapoos - - -	Do. do. - -	2	14	2	16	Methodist.
(Not known) - -	Peorias - - -	Do. do. - -	-	-	-	7	Methodist.
Robert Simmerwell - -	Pottawatomies - -	Osage River sub-agency - -	2	11	4	15	Baptist.
Jotham Meeker - -	Ottowas - - -	Do. do. - -	-	-	-	-	Baptist.
			6			104	
Western Superintendency.							
The superintendent reports -	10 Choctaw schools, numbering	in all - - - -	12	-	-	160	
Also, "a number" (further	particulars not given,) support	ed by the - - - -	-	-	-	-	Amer. Board Commis. For. Mis.
The Creeks have three schools,	numbering - - -	- - - - -	4	-	-	90	
And there are several among	the Cherokees, of which no re	turns have been received.					
Miscellaneous.—Wyandot Sub-agency.							
Rev. Samuel Allen - -	Wyandots - - -	Upper Sandusky, Ohio - -	2	20	20	40	Methodist.
Choctaw Academy.							
Rev. Thomas Henderson -	52 Choctaws, 23 Chickasaws, 8 Cherokees, 11 Creeks, 13 Pottawatomies, 5 Seminoles, 4 Miamies, and 9 miscellaneous - - -	Scott county, Kentucky - -	-	-	125	125	

No. 38.

Report of Richard W. Cummins, Agent at Fort Leavenworth, upon the Manual Labor School.

FORT LEAVENWORTH AGENCY,
May 23, 1839.

SIR: In compliance with instructions received from your office of July 10, 1838, I have the honor to make the following report on the subject of the intended manual labor school, located within this agency by the Methodist Episcopal church. Rev. Thomas Johnson, agent, made a beginning about the 1st of February. At this time he has 400 acres of land enclosed under a good new fence; 12 acres of which set in apple scions, selected fruit, also planted in Irish potatoes, and other garden vegetables, 176 acres planted in corn, 85 acres in oats; five ploughs are breaking the balance of the ground enclosed, which is intended for timothy and blue grass. One hundred acres in addition to the 400 enclosed is expected to be ploughed by the 15th July, and enclosed in September, which will make 500 acres ready for next year. The rails, upward of 40,000, were all made in a short time by the Shawnee Indians, with the exception of about 3000.

The buildings are under way: mechanics preparing brick, 30,000 feet of lumber at the place, 15,000 of it dressed, ready for laying floors, 2,500 lights of sash made, stone quarried for the first building, nails, glass, hinges, locks, &c., ready on the premises.

They expect to have a part of the buildings ready to commence the school in October. I think, however, this is doubtful; although they have gone on very rapidly, there is yet a great deal to do. The agent is very attentive and persevering. At this time, about 40 hands are employed.

I am, very respectfully, your most obedient servant,

RICHARD W. CUMMINS,
Indian Agent.

Major JOSHUA PILCHER,
Supt. of Indian Affairs, St. Louis, Mo.

Extract from the Report of the Rev. Thomas Johnson to Major Cummins.

Experience and observation during the past year strengthen us in the belief that our plan for a central manual labor school is the best that can be adopted to meet the wants of the Indians in this part of the country. They are scattered over a large portion of the country, a few hundred only in a tribe in many cases, and each tribe speaking its own dialect; and if a teacher should go and settle down among them, he will only succeed in collecting a small number around him a few hours in the day; the principal part of their time would be spent among their own people, and of course they will speak and understand the language of the people with whom they associate, and no other. It is true, they may be greatly improved in agriculture, religion, &c., by having suitable persons to live among them, who are willing to labor for the good of the Indians; but they never can be advanced in education so as to become English scholars. Now we think that a central manual labor school will go very

far to remove the difficulties alluded to. Here the children from the different tribes will be taken to one place, and put under the care of competent teachers, with a suitable number of white children mixed in with them, and all required to speak the English language; which they will be inclined to do, for as they come from different tribes, they cannot understand one another in any other way; consequently, when they have learned to read our books, they will understand what they read, and profit thereby; and as we will have them under our care all the time, we can give them a physical education as well as mental, by having suitable men connected with the institution to learn them the more useful branches of mechanism, agriculture, &c. But we do not intend to convey the idea that we think a school of a higher order is necessary for the Indians, or that they need a classical education at present. We only mean to concentrate our efforts at one point, that we may make them more efficient, so that we may be able to give the Indians an education suited to their wants in the cheapest way, and not spend our time, and money too, by following the old plan which avails so little. But while we make our central school our chief dependance for education, we do not expect to slacken our efforts to instruct the Indians in their different tribes; for we expect to continue our regular missionaries in the different tribes, who, in addition to the religious instruction of the Indians, will be expected to instruct them in agriculture, to select children and send them to the central school, to exercise a kind of guardianship over the children who may be educated at the central school when they return home, by aiding them in settling themselves and commencing business, and, when it is necessary, they can teach a school; though I presume this will only be done as preparatory to the central school.

We expect to be able to commence our central school in about two months. We have teachers engaged; but as the spring and summer were very wet, and the clay not of a good quality, our brick work has been protracted beyond our former calculations, so that we shall only have buildings to accommodate 60 or 70 children this fall; but our present plan of buildings when completed will be sufficient for 150 children or more, with the necessary teachers. We have the principal part of the materials for the whole of the buildings collected at the place, and hope to have them completed in the course of the next summer.

We have laid off a farm of 500 acres, and have the whole of it ploughed up, and 400 acres fenced. We have raised this year 1,500 or 1,800 bushels of oats, and have 175 acres in corn, which we think is good for 5,000 bushels. We have sowed 100 acres in wheat, and 100 acres in timothy, and planted an orchard of 10 acres.

No. 39.

Statement showing the amount remaining in the hands of each of the disbursing agents of the Office of Indian Affairs, unaccounted for, on the 1*st of October,* 1838; *the amount remitted to each from the Treasury, or turned over to him by other agent or agents, and those which came into the hands of each from the sales of property, rent of public buildings or grounds, or from other sources, during the last quarter of* 1838, *and each of the first three quarters of* 1839; *the amount accounted and unaccounted for by each in each of those quarters, by accounts and vouchers of expenditures, or by evidences of transfers to other agents, or of replacement in the Treasury, and the balance unaccounted for by each at the end of each quarter.*

Names of agents.	Balance on hand, and unaccounted for from last quarter.	Amount remitted from the Treasury and turned over by other agents.	Amount derived from sales and rents, and other sources.	Total to be accounted for.	Amount expended.	Amount turned over to other agents and replaced in the Treasury.	Total accounted for.	Balance unaccounted for.
4th quarter, 1838.								
Armstrong, William	$16,944 87	$300 00	-	$17,144 87	$16,464 50	-	$16,461 50	$860 37
Brown, Captain Jacob	17,567 06	-	$849 79	18,416 85	1,287 18	-	1,287 18	17,129 67
Bushnell, D. P.	50 00	1,091 00	-	1,141 00	1,059 50	-	1,059 50	81 50
Bush, Chauncey	115 78	15,118 69	-	15,234 47	15,111 90	-	15,111 90	122 50
Clary, Lieutenant R. E.	4,125 26	32,270 15	-	36,395 41	28,394 57	$8,000 84	36,395 41	-
Collins, Captain R. D. C.	3,933 23	655,030 00	20,924 52	679,887 39	-	-	-	679,887 39
Cross, S. T.	2,999 67	-	-	2,999 67	2,527 99	-	2,527 99	474 68
Deas, Lieutenant Edward	37,587 66	32,023 00	-	69,610 66	54,941 22	-	54,941 22	14,669 44
Davis, Lieutenant J. P.	862 42	1,634 11	-	2,496 53	-	-	-	2,496 53
Garland, Major John	406,176 89	81,017 50	-	487,194 39	72,482 64	411,135 17	483,617 81	3,576 58
Hitchcock, Major E. A.	378,831 30	342,144 92	-	720,976 22	318,254 85	116,465 82	434,720 67	219,404 58
Harris, Samuel P.	6,173 46	4,698 00	-	10,871 46	8,771 69	-	8,771 69	2,099 77
Hill, Lieutenant T. M.	23,940 96	-	-	23,940 96	-	-	-	23,940 96
Kurtz, Daniel	157,219 25	-	-	157,219 25	3,072 64	-	3,072 64	154,146 61

No. 39—Continued.

Names of agents.	Balance on hand, and unaccounted for from last quarter.	Amount remitted from the Treasury, and turned over by other agents.	Amount derived from sales and rents and other sources.	Total to be accounted for.	Amount expended.	Amount turned over to other agents and replaced in the Treasury.	Total accounted for.	Balance unaccounted for.
4th quarter, 1838—Continued.								
Morrison, Captain P. - -	$88,783 57	-	-	$88,783 57	$1,548 25	-	$1,548 25	$87,235 32
McKissack, Lieut. W. M. D. -	2,013 20	$15,450 25	-	17,463 45	4,813 61	$7,000 00	11,813 61	5,649 84
Morris, Captain G. - -	10 00	-	-	10 00	-	-	-	10 00
Phillips, Captain J. A. - -	1,122 71	-	-	1,122 71	-	-	-	1,122 71
Page, Captain John - -	694,682 56	460,694 71	-	1,155,377 27	696,609 29	404,785 00	1,101,394 29	53,982 98
Rice, Nathan - - -	94,030 19	-	-	94,030 19	-	-	-	94,030 19
Reynolds, Dr. J. C. - -	3,205 95	91,230 00	-	94,435 95	37,612 65	-	37,612 65	56,823 30
Reynolds, Lieutenant J. G. -	25,425 57	-	-	25,425 57	607 38	-	607 38	24,818 19
Reynolds, Benjamin - -	2,100 00	-	-	2,100 00	2,100 00	-	2,100 00	-
Simonton, Captain I. P. -	206,681 04	120,000 00	-	226,681 04	234,410 42	9,000 00	243,410 42	83,270 62
Sprague, Lieutenant J. T. -	18,936 16	18,000 00	-	36,936 16	27,905 35	316 78	28,222 13	8,714 03
Stephenson, Captain J. R. -	82,540 14	23 50	-	82,563 64	23,895 63	-	23,895 63	58,668 01
Sloan, Lieutenant T. T. -	552 72	-	-	552 72	-	-	-	552 72
Street, Joseph M. - -	421 60	-	-	421 60	-	-	-	421 60
Smith, Archibald - -	200 00	-	-	200 00	-	-	-	200 00
Sherburne, J. H. - -	273 51	-	-	273 51	-	-	-	273 51
Tilley, H. W. - - -	25,355 00	16,878 91	-	42,233 91	42,233 91	-	42,233 91	-
Smith, A. J. - - -	58,784 50	91,013 71	-	149,798 21	93,282 71	56,515 50	149,798 21	-
Smith, Colonel Henry - -	-	76,084 26	-	76,084 26	19,456 49	8,333 05	27,789 54	48,294 72
Van Horne, Lieutenant J. -	117,851 85	50,794 73	-	168,646 58	3,439 59	111,192 30	114,631 89	54,014 69
Wool, General J. E. - -	12,186 77	-	-	12,186 77	-	12,186 77	12,186 77	-
								1,696,793 01
1st quarter, 1839.								
Armstrong, William - -	680 37	-	-	680 37	-	-	-	680 37
Brown, Captain Jacob - -	17,129 67	-	-	17,129 67	1,634 32	15,495 35	17,129 67	-
Bushnell, D. P. - - -	81 50	-	-	81 50	-	-	-	81 50
Bush, Chauncey - -	122 50	-	-	122 50	-	-	-	122 50
Collins, Captain R. D. C. -	679,887 39	80,000 00	-	759,887 39	-	-	-	759,887 39
Cross, Captain S. T. - -	471 68	-	-	471 68	471 68	-	471 68	-
Deas, Lieutenant Edward -	14,669 44	-	-	14,669 44	295 51	14,373 93	14,669 44	-
Davis, Lieutenant J. P. - -	2,496 53	-	-	2,496 53	-	-	-	2,496 53
Garland, Major J. - -	3,576 58	-	-	3,576 58	-	-	-	3,576 58
Hitchcock, Major E. A. -	219,404 58	3,083 35	-	222,487 93	28,880 80	66,028 63	94,900 49	127,578 44
Harris, Samuel P. - -	2,099 77	-	-	2,099 77	-	2,099 77	2,099 77	-
Hill, Lieutenant T. M. - -	23,940 96	-	-	23,940 96	-	-	-	23,940 96
Kurtz, Daniel - - -	154,146 61	19,496 86	-	173,643 47	1,979 89	1,398 00	3,377 89	170,265 58
Morrison, Captain P. - -	87,235 32	-	-	87,235 32	2,276 40	-	2,276 40	84,958 92
McKissack, Lieut. W. M. D. -	5,649 84	1,027 44	-	6,677 28	2,928 30	-	2,928 30	3,748 98
Morris, Captain G. - -	10 00	-	-	10 00	-	-	-	10 00
Phillips, Captain J. - -	1,122 71	-	-	1,122 71	-	-	-	1,122 71
Page, Captain John - -	53,982 98	-	-	53,982 98	-	53,982 98	53,982 98	-
Rice, Nathan - - -	94,030 19	-	-	94,030 19	-	-	-	94,030 19
Reynolds, Dr. J. C. - -	56,823 30	1,349 39	-	58,172 65	52,692 51	3,455 22	56,147 73	2,024 92
Reynolds, Lieutenant J. G. -	24,818 19	-	-	24,818 19	307 45	-	307 45	24,510 74
Simonton, Captain I. P. -	83,270 62	112,133 84	-	195,404 46	156,260 31	12,331 95	168,592 26	26,812 20
Sprague, Lieutenant J. T. -	8,714 03	-	-	8,714 03	-	-	-	8,714 03
Stephenson, Captain J. R. -	58,668 01	2 00	-	58,670 01	23,578 26	-	23,578 26	35,091 75
Sloan, Lieutenant T. T. -	552 72	-	-	552 72	-	-	-	552 72
Street, J. M. - - -	421 60	-	-	421 60	-	-	-	421 60
Smith, Archibald - -	200 00	-	-	200 00	-	-	-	200 00
Sherburne, J. H. - -	273 51	-	-	273 51	-	-	-	273 51
Tilley, H. W. - - -	-	1,344 00	-	1,344 00	-	-	1,344 00	-
Van Horne, Lieutenant J. -	54,014 69	17,955 00	-	71,969 69	60,853 98	-	60,853 98	11,115 71
Smith, Colonel Henry - -	48,294 72	-	-	48,294 72	-	-	-	48,294 72
								1,430,512 55
2d quarter, 1839.								
Armstrong, William - -	680 37	111,156 27	-	111,836 64	5,877 92	-	5,877 92	105,958 72

Names of agents.	Balance on hand, and unaccounted for from last quarter.	Amount remitted from the Treasury and turned over by other agents.	Amount derived from sales and rents and other sources.	Total to be accounted for.	Amount expended.	Amount turned over to other agents and replaced in the Treasury.	Total accounted for.	Balance unaccounted for.
2d quarter, 1839—Continued.								
Bushnell, D. P.	$81 50	-	-	$81 50	-	-	-	$81 50
Bush, Chauncey	122 50	-	-	122 50	-	-	-	122 50
Collins, Captain R. D. C.	759,887 59	-	-	759,887 59	-	-	-	759,887 59
Davis, Lieutenant J. P.	2,496 53	-	-	2,496 53	-	-	-	2,496 53
Garland, Major J.	3,576 58	-	-	3,576 58	-	-	-	3,576 58
Hitchcock, Major E. A.	127,578 44	$3,035 22	-	130,613 66	$128,280 86	-	$128,280 86	2,332 80
Hill, Lieutenant T. M.	23,940 96	-	-	23,940 96	-	-	-	23,940 96
Kurtz, Daniel	170,265 58	-	-	170,265 58	-	-	-	170,265 58
Morrison, Captain P.	84,958 92	23,209 67	-	108,168 59	6,897 12	$80,000 00	86,897 12	21,271 47
McKissack, Lieut. W. M. D.	3,748 98	-	-	3,748 98	3,334 24	414 74	3,748 98	-
Morris, Captain G.	10 00	-	-	10 00	-	-	-	10 00
Phillips, Captain J. A.	1,122 71	-	-	1,122 71	-	-	-	1,122 71
Pilcher, Joshua	-	285,185 00	-	285,185 00	26,717 73	23,988 85	50,706 58	234,478 42
Rice, Nathan	94,430 19	-	-	94,430 19	-	-	-	94,430 19
Reynolds, Dr. J. C.	2,024 92	-	-	2,024 92	-	-	-	2,024 92
Reynolds, Lieutenant J. G.	24,510 74	-	-	24,510 74	114 62	23,209 67	23,324 29	1,186 45
Simonton, Captain I. P.	26,812 20	-	-	26,812 20	-	-	-	26,812 20
Sprague, Lieutenant J. T.	8,714 03	-	-	8,714 03	-	8,714 03	8,714 03	-
Stephenson, Captain J. R.	35,091 75	3,554 46	-	38,646 21	15,518 00	-	15,518 00	23,128 21
Sloan, Lieutenant T. T.	552 72	-	-	552 72	-	-	-	552 72
Street, J. M.	421 60	48,350 00	-	48,771 60	47,679 86	-	47,679 86	1,091 74
Smith, Archibald	200 00	-	-	200 00	-	-	-	200 00
Sherburne, J. H.	273 51	-	-	273 51	-	-	-	273 51
Tilley, H. W.	-	332 24	-	332 24	332 24	-	332 24	-
Smith, Colonel H.	48,294 72	17,845 00	-	66,139 72	12,364 89	53,774 83	66,139 72	-
Van Horne, Lieutenant J.	11,115 71	11,505 00	-	22,620 71	3,673 02	-	3,673 02	18,947 69
								1,494,092 99
3d quarter, 1839.								
Armstrong, William	105,958 72	207,097 13	-	313,055 85	89,755 51	11,056 63	100,812 14	212,243 71
Bushnell, D. P.	81 50	-	-	81 50	-	-	-	81 50
Bush, Chauncey	122 50	-	-	122 50	-	-	-	122 50
Collins, Captain R. D. C.	759,887 59	-	-	759,887 59	-	-	-	759,887 59
Davis, Lieutenant J. P.	2,496 53	-	-	2,496 53	-	-	-	2,496 53
Garland, Major J.	3,576 58	-	-	3,576 58	-	-	-	3,576 58
Hitchcock, Major E. A.	2,332 80	-	-	2,332 80	-	640 42	640 42	1,692 38
Hill, Lieutenant T. M.	23,940 96	-	-	23,940 96	-	-	-	23,940 96
Kurtz, Daniel	170,265 58	-	-	170,265 58	-	-	-	170,265 58
Morrison, Captain P.	21,271 47	-	-	21,271 47	545 30	20,726 17	21,271 47	-
Morris, Captain G.	10 00	-	-	10 00	-	-	-	10 00
Phillips, Captain J. A.	1,122 71	-	-	1,122 71	-	-	-	1,122 71
Rice, Nathan	94,430 19	-	-	94,430 19	-	-	-	94,430 19
Reynolds, Dr. J. C.	2,024 92	-	-	2,024 92	-	2,024 92	2,024 92	-
Reynolds, Lieutenant J. G.	1,186 45	-	-	1,186 45	-	-	-	1,186 45
Simonton, Captain I. P.	26,812 20	-	-	26,812 20	-	26,812 20	26,812 20	-
Stephenson, Captain J. R.	23,128 21	-	-	23,128 21	-	-	-	23,128 21
Sloan, Lieutenant T. T.	552 72	-	-	552 72	-	-	-	552 72
Street, J. M.	1,091 74	-	-	1,091 74	-	-	-	1,091 74
Smith, Archibald	200 00	-	-	200 00	-	-	-	200 00
Sherburne, J. H.	273 50	-	-	273 50	-	-	-	273 50
Van Horne, Lieutenant J.	18,947 69	-	-	18,947 69	-	-	-	18,947 69
Davis, A. L.	-	37,562 39	-	37,562 39	36,027 73	-	36,027 73	1,534 66
Cummins R. W.	-	24,800 00	-	24,800 00	23,675 61	-	23,675 61	1,124 39
Hamilton, J. V.	-	14,482 94	-	14,482 94	19,978 66	-	13,978 66	504 28
Lowry, D.	-	52,445 00	-	52,445 00	1,883 38	-	1,883 38	50,561 62
McElvain, Colonel J.	-	8,217 50	-	8,217 50	9,420 00	-	9,420 00	-
Milroy, General S.	-	112,628 00	-	112,628 00	114,874 42	-	114,874 42	-
Pilcher, Joshua	234,478 42	218,079 94	-	452,558 36	72,328 28	233,551 94	305,880 22	146,678 14
								1,515,653 63

No. 40.

Statement showing the amount applicable to expenditure, and the amount expended in the service of the Department of Indian Affairs, during the year ending September 30, 1839.

Names of appropriations.	Balance undrawn from the Treasury September 30, 1838.	Balance in the hands of the disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.
Fulfilling treaties with—									
Christian Indians - - -	-	$800 00	$400 00	-	$1,200 00				
Chippewas, Ottowas, & Pottawatomies	$114,860 00	1,360 28	34,290 00	-	150,510 28	$12,270 65			
Chippewas of Swan creek, &c. -	1,000 00	2,647 17	-	-	3,647 17	1,600 00			
Chippewas of Saganaw - -	2,000 00	4,500 00	5,800 00	-	12,300 00	7,029 78	$250 00	$250 00	$250 00
Chippewas, Menomonies, Winnebagoes, and New York Indians -	750 00	1,500 00	1,500 00	-	3,750 00	-	-	-	
Choctaws - - - -	31,940 92	32,473 34	57,625 00	-	122,039 26	1,109 09	4,051 50	-	3,992 50
Chickasaws - - - -	7,409 50	240 50	6,000 00	-	13,650 00	-	1,134 00	-	1,030 50
Creeks - - - -	232,192 56	65,729 59	56,440 00	-	354,362 15	75,892 04	29,188 05	38,766 40	33,743 26
Cherokees - - - -	9,522 50	11,152 76	7,640 00	-	28,315 26	-	-	2,181 56	
Caddoes - - - -	-	10,000 00	10,000 00	-	20,000 00	-	-	-	
Delawares - - - -	860 00	900 30	10,444 00	-	12,205 30	820 00	-	-	500 00
Florida Indians - - -	247,979 00	41,830 38	9,610 00	-	299,419 38	21,000 74	64 00	18,289 68	445 37
Iowas - - - -	25,360 00	10,889 65	8,950 00	-	45,199 65	1,120 00			
Kanzas - - - -	860 00	1,043 70	6,040 00	-	7,943 70				
Kickapoos - - - -	250 00	10 00	5,500 00	-	5,760 00	240 00	250 00		
Kaskaskias and Peorias - -	-	-	3,000 00	-	3,000 00				
Kaskaskias, Peorias, Weas, and Piankeshaws - - - -	-	186 00	-	-	186 00				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents unexpended September 30, 1839.	Balance undrawn from the Treasury September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditure, or to be restored to the unappropriated moneys in the Treasury.
Fulfilling treaties with—								
Christian Indians	-	-	-	-	-	$1,200 00	-	$1,200 00
Chippewas, Ottoes, and Pottawatomies	$20,749 24	-	$1,410 00	$1,672 30	$36,102 19	3,220 39	$110,187 70	113,408 09
Chippewas of Swan creek, &c.	-	-	-	-	1,600 00	1,047 17	1,000 00	2,047 17
Chippewas of Saganaw	1,022 54	-	-	250 00	9,052 32	1,047 68	2,200 00	3,247 68
Chippewas, Menomonies, Winnebagoes, and New York Indians	-	-	50 00	-	50 00	2,950 32	750 00	3,700 00
Choctaws	-	$4,142 50	625 00	5,255 75	19,176 34	71,108 85	31,754 07	102,862 92
Chickasaws	-	-	-	884 00	3,048 50	127 50	10,474 00	10,601 50
Creeks	918 55	535 25	-	700 65	179,744 40	139,353 89	35,264 16	174,617 75
Cherokees	1,872 55	-	-	-	4,354 11	14,438 65	9,522 50	23,961 15
Caddoes	-	-	-	-	-	20,000 00	-	20,000 00
Delawares	-	-	7,621 18	-	8,941 18	500 12	2,764 00	3,264 12
Florida Indians	7,328 71	13,092 15	-	267 50	60,488 15	55,734 87	183,196 36	238,931 23
Iowas	903 33	-	1,203 33	-	3,226 66	26,152 99	15,820 00	41,972 99
Kanzas	1,403 70	-	3,814 78	-	5,218 58	265 12	2,460 00	2,725 12
Kickapoos	240 00	-	5,000 00	-	5,730 00	30 00	-	30 00
Kaskaskias and Peorias	-	-	3,000 00	-	3,000 00			
Kaskaskias, Peorias, Weas, and Piankeshaws	-	-	-	-	-	186 00	-	186 00

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury September 30, 1838.	Balance in the hands of the disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.
Fulfilling treaties with—									
Miamies - - - -	$57,945 50	$84,384 50	$40,110 00	-	$182,440 00	$97,070 40	$189 50	$900 00	$9,516 16
Miamies of Eel river - - -	-	1,100 00	1,100 00	-	2,200 00	1,100 00			
Menomonies - - - -	10,090 00	32,030 04	32,650 00	-	74,770 04	46,942 25	-	180 00	
Ottowas and Chippewas - -	17,655 00	22,657 75	62,465 00	-	102,777 75	10,904 22	-	1,959 66	2,250 00
Omahas - - - -	1,560 00	31 49	3,940 00	-	5,531 49				
Ottoes and Missourias - -	2,360 00	2,061 60	5,640 00	-	10,061 60				
Osages - - - -	6,797 35	12,990 34	14,496 00	-	34,283 69	2,000 00	-	7,000 00	
Ottowas - - - -	15,662 38	501 63	4,300 00	-	20,464 01	1,900 00	-	-	1,131 88
Pottawatomies - - -	95,197 56	11,527 08	20,200 00	-	126,924 64	27,922 75	1,892 11	517 82	2,660 01
Pottawatomies of Huron - -	46 84	353 16	400 00	-	800 00				
Pottawatomies of the Prairie - -	-	10,031 00	16,000 00	-	26,031 00	3,290 02			
Pottawatomies of Indiana - -	-	343 94	17,000 00	-	17,343 94	6,580 04			
Pottawatomies of Wabash - -	-	20,000 00	20,000 00	-	40,000 00	9,973 39			
Piankeshaws - - -	-	340 00	800 00	-	1,140 00				
Pawnees - - - -	2,700 00	11,507 14	12,000 00	-	26,207 14				
Quapaws - - - -	1,128 50	7,174 50	4,660 00	-	12,963 00	-	210 00	3,440 00	
Six Nations of New York - -	-	5,486 67	4,500 00	-	9,986 67	6,315 23			
Senecas of New York - -	-	6,000 00	6,000 00	-	12,000 00	6,000 00			
Sioux of Mississippi - - -	420 00	6,369 00	42,510 00	-	49,299 00	13,065 00	-	2,840 00	

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents unexpended September 30, 1839.	Balance undrawn from the Treasury September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditure, or to be restored to the unappropriated moneys in the Treasury.
Fulfilling treaties with—								
Miamies	-	$5,196 50	$36,521 55	$735 38	$150,129 49	$24,435 33	$7,875 18	$32,310 51
Miamies of Eel river	-	-	1,100 00	-	2,200 00			
Menomonies	$681 33	-	4,761 28	-	52,561 86	11,095 18	11,110 00	22,205 18
Ottowas and Chippewas	6,252 83	700 00	47,597 57	700 00	70,364 28	9,458 47	22,955 00	32,413 47
Omahas	3,167 37	-	180 00	-	3,347 37	44 12	2,140 00	2,184 12
Ottoes and Missourias	6,612 37	-	635 00	-	7,247 37	124 23	2,690 00	2,814 23
Osages	1,530 75	-	-	-	10,530 75	2,819 59	20,933 35	23,752 94
Ottowas	891 00	-	5,045 00	-	8,967 88	2,345 83	9,150 30	11,496 13
Pottawatomies	8,400 00	1,602 00	11,789 46	1,100 68	55,884 83	1,313 30	69,726 51	71,039 81
Pottawatomies of Huron	-	-	-	-	-	753 16	46 84	800 00
Pottawatomies of the Prairie	22,740 98	-	-	-	26,031 00			
Pottawatomies of Indiana	-	-	10,763 90	-	17,343 94			
Pottawatomies of Wabash	30,026 61	-	-	-	40,000 00			
Piankeshaws	-	-	800 00	-	800 00	340 00	-	340 00
Pawnees	6,915 66	-	180 00	-	7,095 66	11,711 48	7,400 00	19,111 48
Quapaws	220 00	105 00	160 50	-	4,135 50	7,174 50	1,653 00	8,827 50
Six Nations of New York	-	-	3,671 44	-	9,986 67			
Senecas of New York	-	-	6,000 00	-	12,000 00			
Sioux of Mississippi	-	-	1,419 00	-	19,324 00	6,305 00	23,670 00	29,975 00

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury September 30, 1838.	Balance in the hands of the disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to, and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.
Yancton and Santie Sioux - -	$360 50	$4,820 00	$4,340 00	-	$9,520 50				
Sacs and Foxes of the Mississippi -	15,760 00	16,686 48	54,540 00	-	86,986 48	$2,000 00	$937 75		
Sacs and Foxes of the Missouri -	1,320 00	3,380 00	12,570 00	-	17,270 00				
Shawnees - - - - -	840 00	1,811 72	7,180 00	-	9,831 72	677 65			
Sacs and Foxes, and Iowas - -	879 00	622 00	3,000 00	-	4,501 00		97 00	-	$420 00
Shawnees and Senecas - -	420 00	2,516 50	2,060 00	-	4,996 50		-	$1,732 37	
Senecas - - - - -	720 00	5,391 92	2,660 00	-	8,771 92	462 88	-	1,267 11	
Weas - - - - -	-	-	3,000 00	-	3,000 00				
Wyandots - - - - -	867 00	3,442 10	6,840 00	-	11,149 10	2,400 00	-	1,230 00	
Winnebagoes - - -	2,780 00	14,066 44	92,860 00	-	109,706 44	5,203 02	-	2,457 27	
Wyandots, Munsees, and Delawares -	-	1,000 00	1,000 00	-	2,000 00	1,000 00			
Current expenses - - -	-	1,051 26	-	-	1,051 26				
Miscellaneous objects - -	-	18,243 58	-	-	18,243 58	3,250 00			
Transportation and incidental expenses	9,176 38	27,940 48	-	-	37,116 86	23,336 54	-	2,093 62	1,843 16
Pay of superintendents and agents -	8,686 80	63 20	16,500 00	-	25,250 00	3,000 00	-	3,025 64	250 00
Pay of sub-agents - - -	12,409 09	440 78	13,000 00	-	25,849 87	2,812 50	-	1,550 00	
Pay of interpreters - - -	2,350 00	5,709 88	9,300 00	-	17,359 88	3,145 85	-	1,195 29	25 00
Clerk to superintendent of Wisconsin	400 00	400 00	-	-	800 00				
Clerk to superintendent of Western Territory - - - -	500 00	500 00	1,000 00	-	2,000 00				
Presents to Indians - - -	1,876 70	891 35	5,000 00	-	7,768 05				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents, unexpended on September 30, 1839.	Balance undrawn from the Treasury, September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditure, or to be restored to the unappropriated moneys in the Treasury.
Yancton and Santie Sioux	-	-	$3,660 00	-	$3,660 00	$5,280 50	$580 00	$5,860 50
Sacs and Foxes of the Mississippi	$17,116 23	-	-	-	50,073 98	18,777 67	18,154 83	36,932 50
Sacs and Foxes of the Missouri	784 50	$3,197 63	764 50	-	4,746 63	3,933 37	8,590 00	12,523 37
Shawnees	412 68	-	6,099 93	-	7,190 26	1,801 46	840 00	2,641 46
Sacs and Foxes, and Iowas	-	472 50	791 50	-	1,781 00	850 00	1,870 00	2,720 00
Shawnees and Senecas	220 00	-	-	-	1,952 37	2,624 13	420 00	3,044 13
Senecas	220 00	-	-	-	1,949 99	6,101 93	720 00	6,821 93
Weas	-	-	3,000 00	-	3,000 00			
Wyandots	180 00	-	6,190 00	-	10,000 00	282 10	867 00	1,149 10
Winnebagoes	-	-	12,941 33	-	20,601 62	27,124 82	61,980 00	89,104 82
Wyandots, Munsees, and Delawares	-	-	1,000 00	-	2,000 00			
Current expenses	-	-	-	-	-	-	1,051 26	1,051 26
Miscellaneous objects	-	-	-	-	3,250 00	14,993 58	-	14,993 58
Transportation and incidental expenses	6,236 19	146 50	-	-	33,656 01	1,177 61	2 283 24	3,460 85
Pay of superintendents and agents	2,000 00	-	3,000 00	-	11,275 64	3,041 66	10,932 70	13,974 36
Pay of sub-agents	2,775 00	187 50	1,012 50	-	8,337 50	1,000 78	16,511 59	17,512 37
Pay of interpreters	2,130 00	75 00	2,099 16	$280 00	8,950 30	7,389 58	1,020 00	8,409 58
Clerk to superintendent of Wisconsin	216 66	-	-	-	216 66	583 34	-	583 34
Clerk to superintendent of Western Territory	-	-	-	-	-	1,500 00	500 00	2,000 00
Presents to Indians	94 40	-	1,862 17	-	1,956 57	1,511 48	4,300 00	5,811 48

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury 30th September, 1838.	Balance in hands of disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed.			
						In 4th quarter of 1838.		In 1st quarter of 1839.	
						By disbursing agents.	By accounting officers, in payment of claims presented to and first liquidated by them.	By disbursing agents.	By accounting officers, in payment of claims presented to and first liquidated by them.
Provisions to Indians - - -	$14,106 04	$3,163 30	$11,800 00	-	$29,069 34	$3,890 31	-	$547 52	
Buildings and repairs - - -	9,072 81	1,900 00	10,000 00	-	20,972 81				
Contingencies, (Indian Department) -	34,829 81	-	36,500 00	-	71,329 81	6,043 34	$464 00	2,669 15	$1,472 22
Subscription to Indian Biography -	2,700 00	-	-	-	2,700 00	-	300 00	-	600 00
Expenses of Indian medals - -	475 69	-	-	-	475 69				
Mission of A. P. Chouteau - -	20,000 00	-	-	-	20,000 00				
Running boundary line between Choctaws and Chickasaws - -	1,085 00	-	-	-	1,085 00				
Provisions to destitute Indians - -	1,750 00	-	-	-	1,750 00				
Expenses of delegations of Iowas, Sioux, and Sacs and Foxes - -	3,476 82	-	-	-	3,476 82	1,000 00	-	-	85 00
Expenses of delegations of Pawnees, Ottoes, and Missourias and Omahas	1,713 03	5,490 00	-	-	7,203 03				
Expenses of delegations of Choctaws, Creeks, and Osages - - -	5,000 00	-	-	-	5,000 00				
Value of land ceded by Miamies -	5,299 00	308 00	-	-	5,607 00				
Carrying into effect treaties with—									
Chippewas of Saganaw - -	61,133 39	16,153 68	-	-	77,287 07	8,873 03	-	7,746 26	
Chippewas of Mississippi - -	35,500 00	86,364 92	35,000 00	-	156,864 92	16,750 00			
Sioux of Mississippi - - -	127,250 00	105,678 80	-	-	232,928 80	-	60,000 27	-	16,369 06

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents unexpended September 30, 1839.	Balance undrawn from the Treasury September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditure, or to be restored to the unappropriated moneys in the Treasury.
Provisions to Indians - - -	$410 81	-	$4,557 62	-	$9,406 29	$10,368 05	$9,295 00	$19,663 05
Buildings and repairs - - -	-	-	650 00	-	650 00	8,922 81	11,400 00	20,322 81
Contingencies, (Indian Department) -	2,842 49	$1,313 78	18,244 43	$310 84	33,389 75	5,438 60	32,501 46	37,940 06
Subscription to Indian Biography -	-	-	-	-	900 00	-	1,800 00	1,800 00
Expenses of Indian medals - -	-	-	-	-	-	-	475 69	475 69
Mission of A. P. Chouteau - -	-	6,365 68	-	2,872 00	9,237 68	-	10,762 32	10,762 32
Running boundary line between Choctaws and Chickasaws - -	-	-	-	-	-	-	1,085 00	1,085 00
Provisions to destitute Indians - -	-	-	-	-	-	-	1,750 00	1,750 00
Expenses of delegations of Iowas, Sioux, and Sacs and Foxes - - -	-	-	-	-	1,085 00	-	2,391 82	2,391 82
Expenses of delegations of Pawnees, Ottoes, and Missourias and Omahas	-	-	-	-	-	3,000 00	4,203 03	7,203 03
Expenses of delegations of Choctaws, Creeks, and Osages - - -	-	-	-	-	-	-	5,000 00	5,000 00
Value of land ceded by Miamies -	-	-	-	-	-	308 00	5,299 00	5,607 00
Carrying into effect treaties with—								
Chippewas of Saganaw - -	63 15	8,808 61	-	332 74	25,823 79	14,400 88	37,062 40	51,463 28
Chippewas of Mississippi - -	-	17,252 46	104,000 00	599 58	128,602 02	4,262 90	24,000 00	28,262 90
Sioux of Mississippi - - -	-	23,452 03	1,419 00	170 00	101,410 36	113,581 12	17,937 32	131,518 44

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury September 30, 1838.	Balance in hands of disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.
Sacs and Foxes of Mississippi	$150,700 00	$5,150 00	-	-	$155,850 00	-	$90,245 90	-	$4,650 00
Sacs and Foxes of Missouri	10,370 00	2,600 00	-	-	12,970 00				
Iowas	2,500 00	-	-	-	2,500 00				
Yancton and Santie Sioux	3,000 00	-	-	-	3,000 00				
Winnebagoes	226,000 00	96,298 81	-	-	322,298 81	-	3,000 00	-	2,350 49
Expenses attending treaty with Six Nations, New York	-	13,500 00	-	-	13,500 00	-	12,839 26		
Carrying into effect treaty with Oneidas at Green bay	34,500 35	-	-	-	34,500 35	$672 42	-	-	8,282 00
Osages' interest for education	3,456 00	-	-	-	3,456 00				
Delawares' interest for education	2,304 00	-	-	-	2,304 00				
Holding treaty with Creeks	2,000 00	-	-	-	2,000 00	200 89			
Expenses of delegation of Senecas of New York, opposed to treaty	789 23	-	-	-	789 23	-	-	-	394 62
Expenses of delegation of Senecas, in favor of treaty	1,362 74	6,000 00	-	-	7,362 74	6,039 23			
Expenses of submitting the treaty to the several bands of New York Indians	3,000 00	-	-	-	3,000 00	3,000 00			

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents unexpended, September 30, 1839.	Balance undrawn from the Treasury September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditure, or to be restored to the unappropriated moneys in the Treasury.
Sacs and Foxes of Mississippi -	-	$519 88	-	$100 00	$95,515 78	$30,107 50	$30,226 72	$60,334 22
Sacs and Foxes of Missouri - -	-	-	-	213 13	213 13	2,386 87	10,370 00	12,756 87
Iowas - - - - -	-	-	-	-	-	-	2,500 00	2,500 00
Yancton and Santie Sioux - -	-	-	-	-	-	-	3,000 00	3,000 00
Winnebagoes - - - -	$3,507 57	20,005 42	$1,210 00	650 37	30,723 36	130,740 35	160,835 10	291,575 45
Expenses attending treaty with Six Nations, New York - - -	-	-	-	-	12,839 26	-	660 74	660 74
Carrying into effect treaty with Oneidas at Green bay - - -	-	17,668 00	-	4,406 42	31,028 84	2,827 58	643 93	3,471 51
Osages' interest for education - -	-	-	-	-	-	-	3,456 00	3,456 00
Delawares' interest for education -	-	-	-	-	-	-	2,304 00	2,304 00
Holding treaty with Creeks - -	-	-	-	-	200 89	-	1,799 11	1,799 11
Expenses of delegation of Senecas of New York, opposed to treaty -	-	-	-	-	394 62	-	394 61	394 61
Expenses of delegation of Senecas, in favor of treaty - - -	-	-	-	-	6,433 85	268 15	660 74	928 89
Expenses of submitting the treaty to the several bands of New York Indians - - - -	-	-	-	-	3,000 00			

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury, September 30, 1838.	Balance in the hands of the disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.
Expenses of a party of Sacs and Foxes	$221 50	-	-	-	$221 50	-	$221 50		
Expenses of exploring party of Sacs and Foxes - - - -	1,990 00	-	-	-	1,990 00				
Temporary subsistence of Indians west, &c. - - - - -	150,000 00	-	-	-	150,000 00				
Holding treaties with Osages - -	2,000 00	-	-	-	2,000 00	$850 67			
Treaty stipulations - - -	1,136 66	$14,760 03	-	-	15,896 69	475 25			
Blacksmiths' establishment - -	3,070 00	8,056 63	-	-	11,126 63	55 13			
Carrying into effect treaty with Cherokees, 1835 - - - - -	1,995,953 97	1,070,401 67	$934,367 06	-	4,000,722 70	829,858 06	-	$22,890 76	$17,445 50
Carrying into effect treaty with the Chickasaws, 1834 - - -	61,557 52	19,727 41	191,983 87	-	273,268 80	382 89	-	-	115,700 00
Removal and subsistence - -	78,035 64	52,971 85	-	-	131,007 49	-	-	10,000 00	34 01
Indian annuities - - -	161,569 15	10,757 70	-	-	172,326 85				
Objects specified in third article Cherokee treaty - - - -	1,047,067 00	-	-	-	1,047,067 00	-	-	-	963,367 06
Running lines - - -	-	6,156 41	-	-	6,156 41				
Locating reservations - - -	50 13	-	-	-	50 13				
Holding treaties with certain Indian tribes, 1836 - - -	-	457 22	-	-	457 22				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents, unexpended on September 30, 1839.	Balance undrawn from the Treasury, September 30, 1839.	Total amount unexpended, September 30, 1839, and applicable to future expenditures, or to be restored to the unappropriated moneys in the Treasury.
Expenses of a party of Sacs and Foxes	-	-	-	-	$221 50			
Expenses of exploring party of Sacs and Foxes - - - -	-	-	-	-	-	-	$1,990 00	$1,990 00
Temporary subsistence of Indians west, &c. - - - -	-	-	$8,300 00	-	8,300 00	$16,700 00	125,000 00	141,700 00
Holding treaties with Osages - -	-	-	-	-	850 67	-	1,149 33	1,149 33
Treaty stipulations - -	-	-	-	-	475 25	-	-	15,421 44
Blacksmiths' establishment - -	-	-	98 31	-	153 44	7,903 19	3,070 00	10,973 19
Carrying into effect treaty with Cherokees, 1835 - - - -	$205 50	$21,255 07	58,800 00	-	950,544 89	959,384 32	2,090,793 49	3,050,177 81
Carrying into effect treaty with the Chickasaws, 1834 - - -	-	125 07	25,000 00	$24,030 85	165,238 81	77,029 99	31,000 00	108,029 99
Removal and subsistence - -	-	15,073 50	-	141 62	25,249 13	59,577 62	46,180 74	105,758 36
Indian annuities - - -	-	-	-	-	-	10,757 70	161,569 15	172,326 85
Objects specified in third article Cherokee treaty - - - -	-	-	-	-	963,367 06	-	83,699 94	83,699 94
Running lines - - -	-	-	-	-	-	6,156 41	-	6,156 41
Locating reservations - - -	-	-	-	-	-	-	50 13	50 13
Holding treaties with certain Indian tribes, 1836 - - -	-	-	-	-	-	-	457 22	457 22

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury, September 30, 1838.	Balance in the hands of the disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.
Holding treaties with Chippewas of Saganaw - - - -	$97 13	-	-	-	$97 13				
Rifles for Pottawatomies - -	112 38	-	-	-	112 38				
Expenses of certain Indian delegations	2,630 00	-	-	-	2,630 00				
Education of Indian youths - -	12,919 02	-	-	-	12,919 02	-	$1,182 50		
Carrying into effect treaty with Ottowas and Chippewas, 1836 - -	50,246 14	$17,050 66	-	-	67,296 80	$15,552 99	2,191 90		
Carrying into effect treaty with the Chippewas of Swan creek and Black river - - -	24 66	-	-	-	24 66				
Removing Choctaws from Mississippi -	-	30,000 00	-	-	30,000 00	9,618 00			
Carrying into effect Chicago treaty -	-	44,099 24	-	-	44,099 24				
Civilization of Indians - -	18,816 57	10,000 00	-	-	28,816 57	-	1,430 00	-	$2,060 00
Proceeds of fifty-four sections land -	3,405 46	-	-	-	3,405 46				
Treaty with Pawnees, 1834 - -	-	6,200 00	-	-	6,200 00				
Expenses of commissioners west, &c.	-	38 03	-	-	38 03				
Expenses of Pawnees, Ottoes and Missourias, 1834 - - - -	-	131 27	-	-	131 27				
Treaty with Shawnees and Senecas -	-	258 74	-	-	258 74				
Removing intruders on Creek lands -	-	788 42	-	-	788 42				
Arrearages Cherokee annuity -	38,000 00	62,000 00	-	-	100,000 00				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents, unexpended on September 30, 1839.	Balance undrawn from the Treasury, September 30, 1839.	Total amount unexpended, September 30, 1839, and applicable to future expenditures, or to be restored to the unappropriated moneys in the Treasury.
Holding treaties with Chippewas of Saganaw	-	-	-	-	-	-	$97 13	$97 13
Rifles for Pottawatomies	-	-	-	-	-	-	112 38	112 38
Expenses of certain Indian delegations	-	-	-	-	-	-	2,630 00	2,630 00
Education of Indian youths	-	$664 00	-	-	$1,846 50	-	11,072 52	11,072 52
Carrying into effect treaty with Ottowas and Chippewas, 1836	-	165 60	-	-	17,910 49	$35,371 31	14,015 00	49,386 31
Carrying into effect treaty with the Chippewas of Swan creek and Black river	-	-	-	-	-	-	24 66	24 66
Removing Choctaws from Mississippi	-	-	-	-	9,618 00	472 00	19,910 00	20,382 00
Carrying into effect Chicago treaty	-	-	-	$333 33	333 33	43,765 91	-	43,765 91
Civilization of Indians	-	1,747 50	$500 00	1,872 50	7,610 00	1,911 57	19,295 00	21,206 57
Proceeds of fifty-four sections land	-	-	-	-	-	-	3 405 46	3,405 46
Treaty with Pawnees, 1834	-	-	-	-	-	6,200 00	-	6,200 00
Expenses of commissioners west, &c	-	-	-	-	-	38 03	-	38 03
Expenses of Pawnees, Ottoes and Missourias, 1834	-	-	-	-	-	131 27	-	131 27
Treaty with Shawnees and Senecas	-	-	-	-	-	258 74	-	258 74
Removing intruders on Creek lands	-	-	-	-	-	788 42	-	788 42
Arrearages Cherokee annuity	-	-	-	-	-	**33,000 00**	**67,000 00**	**100,000 00**

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury, September 30, 1838.	Balance in the hands of the disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation, applicable to expenditure in the department.	Amount disbursed.			
						In 4th quarter of 1838.		In 1st quarter of 1839.	
						By disbursing agents.	By accounting officers, in payment of claims presented to, and first liquidated by them.	By disbursing agents.	By accounting officers, in payment of claims presented to, and first liquidated by them.
Surveying Sioux and Chippewa lands.									
Vaccination of Indians	-	$3,619 10	$5,000 00	-	$8,619 10				
Treaty with Delawares	-	8,047 39	-	-	8,047 39				
Payment to Choctaws for depredations by Osages and Camanches	-	825 00	-	-	825 00				
Holding treaty with Wyandots	$1,500 00	-	-	-	1,500 00				
Carrying into effect treaty with Miamies, 1838, viz:									
Payment on ratification	-	-	60,000 00	-	60,000 00				
First of ten instalments	-	-	12,568 00	-	12,568 00				
Payment of claims	-	-	150,000 00	-	150,000 00				
Expenses of valuing buildings and improvements, &c.	-	-	3,300 00	-	3,300 00				
Expenses of surveying and marking boundary lines, &c.	-	-	200 00	-	200 00				
Expenses attending examination of claims	-	-	2,500 00	-	2,500 00				
Expenses of commissioner to examine claims	-	-	2,000 00	-	2,000 00				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents, unexpended September 30, 1839.	Balance undrawn from the Treasury, September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditures, or to be restored to the unappropriated moneys in the Treasury.
Surveying Sioux and Chippewa lands.								
Vaccination of Indians	-	-	$600 00	-	$600 00	$4,519 10	$3,500 00	$8,019 10
Treaty with Delawares	-	-	-	-	-	8,047 39	-	8,047 39
Payment to Choctaws for depredations by Osages and Camanches	-	-	-	-	-	825 00	-	825 00
Holding treaty with Wyandots	-	-	-	-	-	-	1,500 00	1,500 00
Carrying into effect treaty with Miamies, 1838, viz:								
Payment on ratification	-	-	60,000 00	-	60,000 00			
First of ten instalments	-	-	12,568 00	-	12,568 00			
Payment of claims	-	$9,412 00	-	-	9,412 00	-	140,588 00	140,588 00
Expenses of valuing buildings and improvements, &c.	-	-	-	-	-	-	3,300 00	3,300 00
Expenses of surveying and marking boundary lines, &c.	-	-	-	-	-	-	200 00	200 00
Expenses attending examination of claims	-	-	2,120 00	-	2,120 00	-	380 00	380 00
Expenses of commissioner to examine claims	-	-	-	-	-	292 30	1,707 70	2,000 00

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury, September 30, 1838.	Balance in the hands of the disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation, applicable to expenditure in the department.	Amonnt disbursed. In 4th quarter of 1838. By disbursing agents.	Amonnt disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to, and first liquidated by them.	Amonnt disbursed. In 1st quarter of 1839. By disbursing agents.	Amonnt disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.
Pottawatomies.									
Expenses of Pottawatomies of Indiana, for corn crop - - -	-	-	$742 50	-	$742 50				
Expenses for 12 log houses destroyed -	-	-	600 00	-	600 00				
Removal and subsistence - -	-	-	50,000 00	-	50,000 00				
To enable the Executive to purchase from Wa-pan-seh five sections of land - - - - -	-	-	4,000 00	-	4,000 00				
Omahas.									
Expenses of fencing and clearing ground for tillage - - - - -	-	-	800 00	-	800 00				
Expenses of the salary of farmer -	-	-	800 00	-	800 00				
Sacs and Foxes.									
Balance of expenses of commissioner for examination of claims under second article of the treaty of 1837, with the Sacs and Foxes of Mississippi - - - - -	-	-	1,500 00	-	1,500 00				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	In 2d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	In 3d quarter of 1839. By disbursing agents.	In 3d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents, unexpended September 30, 1839.	Balance undrawn from the Treasury, September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditures, or to be restored to the unappropriated moneys in the Treasury.
Pottawatomies.								
Expenses of Pottawatomies of Indiana, for corn crop - - - -	-	-	-	-	-	-	$742 50	$742 50
Expenses for 12 log houses destroyed -	-	-	-	-	-	-	600 00	600 00
Removal and subsistence - -	-	-	-	-	-	$11,000 00	39,000 00	50,000 00
To enable the Executive to purchase from Wa-pan-seh five sections of land - - - - -	-	-	-	-	-	4,000 00	-	4,000 00
Omahas.								
Expenses of fencing and clearing ground for tillage - - - -	-	-	-	-	-	-	800 00	800 00
Expenses of the salary of farmer -	-	-	-	-	-	-	800 00	800 00
Sacs and Foxes.								
Balance of expenses of commissioner for examination of claims under second article of the treaty of 1837, with the Sacs and Foxes of Mississippi - - - - -	-	-	-	-	-	-	1,500 00	1,500 00

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury, September 30, 1838.	Balance in the hands of disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.
Support of miller for Sacs and Foxes of Mississippi - - -	-	-	$600 00	-	$600 00				
Expense of procuring rations for Sacs and Foxes of Mississippi, one year -	-	-	14,657 00	-	14,657 00				
Sioux.									
Balance of expenses of commissioner in examining claims under treaty of 1837 with the Sioux - -	-	-	500 00	-	500 00				
Creeks.									
Payment for investigating frauds in reservations - - -	-	-	5,000 00	-	5 000 00				
Expenses of removal and subsistence	-	-	85,000 00	-	85,000 00	-	-	-	$54,236 16
Payment in stock animals - -	-	-	50,000 00	-	50,000 00				
Interest of five per cent. on $350,000, one year - - - - -	-	-	17 500 00	-	17,500 00				
To pay claims of the McIntosh party -	-	-	21,103 33	-	21,103 33				
Purchase of stock animals for hostile Creeks - - - - -	-	-	10,000 00	-	10,000 00				
To meet the expenses of the purchase and distribution of stock animals -	-	-	3,000 00	-	3,000 00				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	In 2d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	In 3d quarter of 1839. By disbursing agents.	In 3d quarter of 1839. By accounting officers, in payment of claims presented to and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents unexpended September 30, 1839.	Balance undrawn from the Treasury, September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditures, or to be restored to the unappropriated moneys in the Treasury.
Support of miller for Sacs and Foxes of Mississippi - - -	-	-	-	-	-	-	$600 00	$600 00
Expense of procuring rations for Sacs and Foxes of Mississippi, one year -	-	-	-	-	-	-	14,657 00	14,657 00
Sioux.								
Balance of expenses of commissioner in examining claims under treaty of 1837 with the Sioux - -	-	-	-	-	-	-	500 00	500 00
Creeks.								
Payment for investigating frauds in reservations - - -	-	-	-	-	-	$560 00	4,440 00	5,000 00
Expenses of removal and subsistence -	-	-	-	$8,374 08	$62,610 24	-	22,389 76	22,389 76
Payment in stock animals - -	-	-	-	-	-	-	50,000 00	50,000 00
Interest of five per cent. on $350,000, one year - - - -	-	-	-	-	-	17,500 00	-	17,500 00
To pay claims of the McIntosh party -	-	-	-	-	-	21,103 33	-	21,103 33
Purchase of stock animals for hostile Creeks - - - - -	-	-	-	-	-	-	10,000 00	10,000 00
To meet the expenses of the purchase and distribution of stock animals -	-	-	-	-	-	-	3,000 00	3,000 00

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury, September 30, 1838.	Balance in the hands of disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed. In 4th quarter of 1838. By disbursing agents.	Amount disbursed. In 4th quarter of 1838. By accounting officers, in payment of claims presented to, and first liquidated by them.	Amount disbursed. In 1st quarter of 1839. By disbursing agents.	Amount disbursed. In 1st quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.
Cherokees.									
Payment to the Cherokees value of missionary improvements - -	-	-	$15,111 75	-	$15,111 75				
Compensation to commissioner -	-	-	8,000 00	-	8,000 00				
Chippewas of Saganaw.									
For payment of purchase money of 40 acres of land - - -	-	-	320 00	-	320 00				
Expenses in negotiating treaty -	-	-	125 00	-	125 00				
Osages.									
For payment of annuity - -	-	-	20,000 00	-	20,000 00				
Support of blacksmith's establishment, &c. - - - -	-	-	7,800 00	-	7,800 00				
Furnishing cows, calves, ploughs, harness, axes, and hoes - -	-	-	7,300 00	-	7,300 00				
Erection of houses for chiefs, and furnishing wagons, carts, &c. - -	-	-	6,980 00	-	6,980 00				
For payment of claims for depredations	-	-	30,000 00	-	30,000 00				
Expenses of commissioner to examine and settle claims - - -	-	-	2,500 00	-	2,500 00				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	Amount disbursed. In 2d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Amount disbursed. In 3d quarter of 1839. By disbursing agents.	Amount disbursed. In 3d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents unexpended September 30, 1839.	Balance undrawn from the Treasury, September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditures, or to be restored to the unappropriated moneys in the Treasury.
Cherokees.								
Payment to the Cherokees the value of missionary improvements - -	-	$9,306 87	-	-	$9,306 87	-	$5,804 88	$5,804 88
Compensation to commissioner -	-	-	-	-	-	-	8,000 00	8,000 00
Chippewas of Saganaw.								
For payment of purchase money of 40 acres of land - - -	-	-	-	-	-	$320 00	-	320 00
Expenses in negotiating treaty -	-	-	-	-	-	125 00	-	125 00
Osages.								
For payment of annuity - -	-	6,924 64	-	$275 00	7,199 64	12,800 00	36	12,800 36
Support of blacksmith's establishment, &c. - - - - - -	-	-	-	-	-	1,000 00	6,800 00	7,800 00
Furnishing cows, calves, ploughs, harness, axes, and hoes - -	-	-	-	-	-	7,300 00	-	7,300 00
Erection of houses for chiefs, and furnishing wagons, carts, &c. - -	-	-	-	-	-	-	6 980 00	6,980 00
For payment of claims for depredations	-	-	-	-	-	-	30,000 00	30,000 00
Expenses of commissioner to examine and settle claims - - -	-	-	$2,000 00	-	2,000 00	-	500 00	500 00

No. 40—Continued.

Names of appropriations.	Balance undrawn from the Treasury September 30, 1838.	Balance in the hands of disbursing agents at that date.	Additional sum appropriated during the ensuing session of Congress.	Amount added by sales and rents of public property.	Total amount under each head of appropriation applicable to expenditure in the department.	Amount disbursed.			
						In 4th quarter of 1838.		In 1st quarter of 1839.	
						By disbursing agents.	By accounting officers, in payment of claims presented to, and first liquidated by them.	By disbursing agents.	By accounting officers, in payment of claims presented to, and first liquidated by them.
For payment for reservations - -	-	-	$43,520 00	-	$43,520 00				
Reimbursement of annuity - -	-	-	6,000 00	-	6,000 00				
Iowas.									
Payment of interest - - -	-	-	7,875 00	-	7,875 00				
Building ten houses - - -	-	-	2,000 00	-	2,000 00				
Miscellaneous.									
Completing surveys with the Delawares, and for expenses of locating Miamies and Winnebagoes -	-	-	2,000 00	-	2,000 00				
Defraying the expenses of holding treaty with Stockbridge Indians -	-	-	2,000 00	-	2,000 00	-	-	$800 00	
Travelling expenses and board in Washington of Munsee, Stockbridge, and Seneca Indians - - -	-	-	2,000 00	-	2,000 00	-	-	-	$2,000 00
Physician to vaccinate Indians -	-	-	5,000 00	-	5,000 00				

No. 40—Continued.

Names of appropriations.	Amount disbursed. In 2d quarter of 1839. By disbursing agents.	In 2d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	In 3d quarter of 1839. By disbursing agents.	In 3d quarter of 1839. By accounting officers, in payment of claims presented to, and first liquidated by them.	Aggregate amount disbursed between September 30, 1838, and September 30, 1839.	Balance in the hands of agents unexpended September 30, 1839.	Balance undrawn from the Treasury September 30, 1839.	Total amount unexpended September 30, 1839, and applicable to future expenditures, or to be restored to the unappropriated moneys in the Treasury.
For payment for reservations - -	-	-	-	-	-	$43,520 00	-	$43,520 00
Reimbursement of annuity - -	-	-	-	-	-	6,000 00	-	6,000 00
Iowas.								
Payment of interest - - -	-	-	-	-	-	2,355 00	$5,520 00	7,875 00
Building ten houses - - -	-	-	-	-	-	2,000 00	-	2,000 00
Miscellaneous.								
Completing surveys with the Delawares, and for expenses of locating Miamies and Winnebagoes -	-	-	-	-	-	500 00	1,500 00	2,000 00
Defraying the expenses of holding treaty with Stockbridge Indians -	-	-	-	-	$800 00	-	1,200 00	1,200 00
Travelling expenses and board in Washington of Munsee, Stockbridge, and Seneca Indians - - -	-	-	-	-	2,000 00			
Physician to vaccinate Indians -	-	-	-	-	-	1,500 00	3,500 00	5,000 00
								6,419,714 91

OFFICE OF INDIAN AFFAIRS.

No. 41.

Statement showing the condition of the civilization fund.

Balance to the credit of the fund 1st January, 1839 - - - - - -	$18,289 07	
Appropriated in 1839 - - -	10,000 00	
		$28,289 07
Deduct amount of payments to 30th September, 1839 - - - - - -	7,385 00	
Deduct amount required to complete payments for 1839 - - - - - -	4,220 00	
		11,605 00
Balance - - - . -		16,684 07

Office of Indian Affairs.

No. 42.

Statement showing the amount and disposition of funds provided by treaties for education purposes.

Chippewas - - - -	September 24, 1819 -	$1,000 00	Baptist Board.
Pottawatomies - - - -	October 16, 1826 -	2,000 00	Choctaw Academy.
Pottawatomies - - - -	September 24, 1827 -	1,000 00	Choctaw Academy.
Pottawatomies - - - -	October 27, 1832 -	2,000 00	Choctaw Academy.
Miamies - - - - -	October 23, 1826 -	2,000 00	Choctaw Academy.
Menomonies - - - -	August 11, 1827 -	1,500 00	Protestant Episcopal Church.
Cherokees, west - - - -	May 6, 1828 - -	2,000 00	Schools in the nation.
Sacs, Foxes, and Iowas - - -	July 15, 1830 - -	3,000 00	Choctaw Academy.
Kickapoos - - - - -	October 24, 1832 -	500 00	Schools in the nation.
Shawnees and Delawares - - -	October 26, 1832 -	500 00	Schools in the nation.
Choctaws - - - - -	September 27, 1830 -	2,500 00	Schools in the nation.
Choctaws - - - - -	September 27, 1830 -	12,000 00	Choctaw Academy.
Creeks, west - - - -	March 24, 1830 -	3,000 00	Choctaw Academy.
Florida Indians - - - -	September 18, 1823 -	1,000 00	Choctaw Academy.
Quapaws - - - - -	May 13, 1833 - -	1,000 00	Choctaw Academy.
Ottoes and Missourias - - -	September 11, 1833 -	500 00	Schools in the nation.
Pawnees - - - - -	October 8, 1833 -	1,000 00	Schools in the nation.
Chickasaws - - - -	May 24, 1834 - -	3,000 00	Choctaw Academy.
Creeks - - - - -	February 11, 1833 -	1,000 00	Choctaw Academy.
Ottowas, Chippewas, and Pottawatomies -	September 26, 1833 -	3,400 00	Choctaw Academy.
Ottowas and Chippewas - - -	March 28, 1836 -	8,000 00	Schools in the nation.
Osages - - - - -	June 25, 1825 - -	3,456 00	
Delawares - - - - -	September 24, 1829 -	2,304 00	
Sacs and Foxes of Missouri - -	October 21, 1837 -	770 00	
Winnebagoes - - - -	September 15, 1832 -	3,000 00	Schools in the nation.
Winnebagoes - - - -	November 1, 1837 -	2,800 00	Schools in the nation.

OFFICE INDIAN AFFAIRS.

No. 43.

Report of William Armstrong, Agent for the Choctaws, and Acting Superintendent, Western Territory.

SIR: The requirements of the Indian Department make it obligatory on me to lay before you an annual report of the condition of the various tribes belonging to this superintendency. The policy of removing the Indian population from the east to the west of the Mississippi may now be said to be consummated. Within the last year, the great body of the Cherokees, with a portion of the Seminoles, have been placed upon lands assigned them. These with the Choctaws, Chickasaws, Creeks, Osages, Quapaws, Senecas, Senecas and Shawnees, embrace the tribes within the Western Superintendency. With the exception of the Osages, they all were emigrated by the United States, and placed upon lands assigned by treaty stipulations. The Osages once claimed the lands at present occupied by all these tribes. They are now located upon a portion of it fully adequate to all their wants.

It has been seriously apprehended by many whose opinions are entitled to great consideration, whether or not concentrating so large a body of the aborigines upon our western border might not endanger the peace and prosperity of the frontier, especially as many of the emigrants have left their native land with great reluctance, and come over to the homes prepared for them in the west with embittered feelings. They are here contiguous to each other, and could soon unite and make themselves thereby more formidable to those whom they look upon as their oppressors. This feeling is more or less implanted in the bosom of every Indian to a white man. Thus far, however well founded those fears were supposed to be, they happily have not been realized. Every Indian of common intelligence, regardless of the feelings he may entertain of what is past, cannot but look forward and see that here is the last home left for the red man: beyond him, to the west, he is bounded by the vast prairies stretching to the mountains. Heretofore treaties have been made for their lands whenever their necessities seemed to require it, or the wants of their white brethren seemed to demand it. They are now removed from beyond the limits of any state or territory, are exclusively under the control of the Government of the United States. Its plighted faith is given for the undisturbed possession of the lands. Large amounts have been invested by the United States for the benefit of the different tribes, arising from the proceeds of the sale of their lands. This policy gives them a common feeling with us in the perpetuity of our Government, as well as a strong inducement to refrain from every thing calculated to disturb the peace of our citizens. Thus by pursuing a steady, parental, and soothing care over the different tribes, they will be induced to look upon us, not as oppressors, but as benefactors.

The Cherokees, from their numbers and advancement in civilization, may be considered, perhaps, the most important tribe of red people. Previous to their late emigration serious difficulties were at one time apprehended. The Government, with its usual liberality, and to satisfy all parties as they believed, made them a further compensation, when the whole tribe removed under their head men. Shortly after their arrival at their new homes, where they were welcomed by their brethren who had emigrated some years previous, it was soon discovered that dissatisfaction

and jealousies existed among them. and that the emigrants, divided as they were into two parties, designated by the appellation of the Ridge or treaty party and the Ross party. had brought with them the elements of discord to such a serious extent. that three of the principal leaders of the Ridge or treaty party were murdered, avowedly for the part they had taken in effecting the late treaty. At a council a few days previous to the murder above stated the treaty party united themselves with the old settlers; since which time separate councils have been held by both parties, at which every exertion by the commanding general on this frontier, as well as myself, have been made, thus far without success, to effect a reconciliation All the information from personal visits to both councils, together with the papers from the same, has been submitted to the Department. It has been thought by many that the Cherokee country was insufficient for the accommodation of the whole tribe. That the country was unhealthy, badly watered, and not adapted to agricultural purposes. The reverse is the fact. The Cherokees possess a country in extent far beyond their wants, rich and fertile, with a large portion of it well watered.

Notwithstanding many of the emigrants arrived late in the season, and the unhappy difficulties causing them to neglect their fields, yet the Cherokees have an abundant crop, more than their wants require.

The country is well adapted to agricultural purposes; corn, wheat, oats, pumpkins, melons, beans, and vegetables of all kinds, grow well; considerable attention is paid to gardening. There are many well-improved farms, with good comfortable houses, and all the substantials of life found as plenty and well prepared as is usual in a new country. The Cherokees own large stocks of horses. cattle, hogs. and sheep; the country is not only well adapted to raising grain, but peculiarly so for stock raising. The rich prairie, while it affords the best summer range, produces fine grass, which, when cut and properly cured, is but little inferior to our timothy hay. But little attention has been paid by the Cherokees in the mechanic arts. They are furnished by the Government of the United States with four blacksmiths, one wagon-maker, and one wheelwright. There are a few private blacksmith's shops; this branch of industry is much neglected. A number of Cherokee families both spin and weave; it is quite common to see them dressed in their own manufacture. A number of the merchants are natives, who have purchased large assortments of goods to supply the demands of the late emigrants, who were supposed to have large sums of money either with them or in expectancy from the United States.

It is to be regretted, that the cause of education has not progressed with the Cherokees proportionate to their emigration. Few, if any, additional schools have been put in operation since the great body of the nation came over. There are, however, several missionaries, who have been steadily laboring for the advancement of the Cherokee people, who have not relaxed any of their efforts. The subject of schools will be briefly noticed in another report.

Salt water is found in several places in the Cherokee country. The Grand Saline, in the northern part of the nation, owned by John Rogers, is the most important; a sufficiency of salt is made to meet the demand; there is no doubt those works are capable of being worked to great advantage, if they were in the possession of those who understood this branch of business. Stone coal is also found in many parts of the nation. In fact,

the country is inferior to none west of the Mississippi. With the Arkansas river passing through a large portion of it, upon whose waters the surplus productions of the nation can be transported to market, steamboats can ascend, bringing goods, groceries, and such articles as are required for the use and consumption of the people. With a country thus suited to the wants of the nation, possessing so many advantages, with large amounts of funds invested for the common benefit of the people, with a population, among whom are men of intelligence and learning, when the present unhappy difficulties shall cease to exist, the cause of education, with its enlightening influence, will in a few years present the Cherokee people as a civilized race.

Since my last annual report, but little change has taken place with the Choctaws. There is no tribe of red people who have been more faithful to the Government of the United States, in their intercourse with our people; they have demeaned themselves so as to gain their confidence and good will. Their present country was obtained by the treaty of 1820.

At this early day, when the United States owned such a vast extent of country west of the Mississippi, designated for the different Indian tribes, the Choctaws had all the advantage of making a good selection. Their country adjoins the state of Arkansas on the east, running from the Arkansas due south to Red river, a distance of about one hundred and fifty miles, which narrows some as it progresses west. The length of the nation is perhaps some four or five hundred miles, not more than two hundred of which is settled. The nation is divided into four districts, one of which is for the Chickasaws, who, by a late agreement with the Choctaws, obtained a home in their country. Each district elects every four years a chief, who receives two hundred and fifty dollars annually from the United States, by treaty stipulations; also forty counsellors are elected annually according to the population of the districts, who convene on the first Monday in October at the general council house on Kiameshu, about the centre of the nation, where a large and comfortable house has been erected by the United States for the benefit of the nation. A president and secretary are elected, good order and decorum are preserved, motions are made, and the question put as is done in our legislative bodies; every thing is reduced to writing. There is but one legislative body, called the general council of the Choctaw nation. The chiefs are present without participating in the deliberations of the Council, except approving or vetoing of such laws as are passed. If vetoed, they become a law when passed by two-thirds of the council. Their bill of rights guaranties to each individual similar privileges, trial by jury, and a defence by counsel before judges, who are elected in each district. There is no enforcement by law for the collection of debts; this is left discretionary with the debtor, usually, however, their engagements are complied with.

It is justly considered a work of ages to change habits of any people from a rude and barbarous state to the civilized; if done, it must be slow. The Choctaws before their emigration were governed by chiefs, as is usual with other tribes. They now have a written constitution, and under it enact such laws as secure the life and liberty of all the people. They may, therefore, be considered as enjoying, under their government, the rights and privileges of a civilized people.

They have passed many good and wholesome laws, among which one deserves particular notice; it is against the introduction of spirituous li-

quors. This is the great barrier to Indian improvement. Benevolent societies for the amelioration of the Indians, may send their missionaries; individual philanthropy may be extended to them, with all the kind attentions and expenditures of money by the Government; spirituous liquor is doing more to retard the Indian in his onward march to civilization than all the evils combined together. If intemperance has, in any measure, abated among our own population, it has certainly extended itself to an increased degree upon our borders with the red people.

The law of Congress which prohibits the introduction of spirituous liquors or wine into the Indian country is defective. It should be made the duty by enactment of every officer or agent of the Government to seize the spirits, as well as the individual who has it: and also the wagon or vehicle upon which it is carried be confiscated. If these enactments were made and carried out, whiskey would cease to be introduced to the destruction of the people; as it is, the law is but partially attended to. It is a rare occurrence for a barrel of whiskey to be brought into the Choctaw nation, but with Texas on one side and Arkansas on the other, where every facility by whiskey shops on the line is afforded, small quantities are introduced, which has a very demoralizing influence upon the people.

There are none of the Indian tribes located with the same advantage to raise cotton that the Choctaws are; a considerable number on Red river are engaged in raising this valuable staple: some have small fields, while the more wealthy, who own slaves, cultivate largely. There are several cotton gins erected through the country; the production of the article will no doubt increase. Heretofore corn has commanded such a high price, owing to the great emigration, that cotton has been neglected.

The country is well suited to raising corn, oats, pumpkins, beans, melons, potatoes, and vegetables of different kinds; wheat also grows in some parts of the nation very well. There are several grist and saw mills; they, however, fail in the fall months for want of water. They also own large stocks of horses, hogs, cattle, and some sheep. The country is well adapted to raising of stock; it is scarcely necessary to feed any, unless it is the hogs before killing, or the oxen or horses that are kept up for use. Good water is scarce through the nation, and in a dry time the running streams generally fail; water has been obtained by digging, but the country may be said to be badly watered. Salt water is found in several places in the nation, at two of which salt is manufactured. At the works on Boggy, owned by Col. David Folsom, an enterprising half breed, a quantity equal to the consumption is made for both Choctaws and Chickasaws in that part of the nation, as well as Texians, who have only Red river to cross and travel twenty miles to the works.

Trade is carried on at different points in the nation; there are several native traders who buy largely in our cities and sell to their own people. This branch of business is very much overdone all over the Indian country. Heretofore peltries were a considerable article of trade; the game has however disappeared, aud but little is done in that way. There are twelve schools in the Choctaw nation by treaty stipulations; some of these have not done so well the past year, while others have even increased in their numbers, as well as their usefulness.

There are also several missionaries belonging to the Presbyterian board, as well as Methodists, who are doing great good among the Choctaws; without education and religious instruction, there can be no advancement

with any people; this is no where more clearly indicated than with the Choctaws. There are four public blacksmith's shops in the nation, two of which are worked by natives; all the strikers are natives, such as were selected by the chiefs with the intention of their learning the trade. There is also a number of shops put up in different parts of the country, the tools for which have been paid for by the nation. These are worked during the spring and summer, in crop time, by some of their own people, who are paid from their annuity; this is not only a great convenience, but will prepare the nation, gradually, to supply themselves, when the Government will be no longer bound to do so. There are yet about two thousand Choctaws east of the Mississippi who have never emigrated; they are remaining to obtain lands, after which they design most of them to come over; they are no doubt in a worse situation than they were before the treaty. Their brethren here express a great wish for them to emigrate. There are also some scattering Choctaws who emigrated to Texas previous to the last treaty; ineffectual attempts have also been made to induce them to join their nation.

The Chickasaws are at present promiscuously scattered over the Choctaw nation. By agreement between the two tribes a separate district was laid off for the Chickasaws, to be called the Chickasaw district of the Choctaw nation. They were to constitute a fourth district and to have an equal representation in the General Council, to settle in whatever district they chose and to be eligible to any office in the nation. The only distinction between them was in their pecuniary affairs, which each is to have separately. Where the agreement was made between the two tribes, it was expected that the Chickasaws, as they emigrated, would generally go to the district of country assigned them. At this time, there is not a dozen families in the bounds of the district. The country was new, entirely unsettled, and exposed to depredating parties from other tribes.

It would be greatly to the advantage of the Chickasaws, as a people, to be located together.

They have the largest invested fund of any other tribe, which, scattered as they are, cannot be so beneficially applied, either in the mechanic arts, the erection of mills, to education purposes, or indeed any other object calculated to improve them as a people. There are among them some intelligent enterprising men of wealth who are engaged in cultivating cotton. Others who have located on the Blue and Boggy and other parts of the nation are making corn. The whole population, with the exception of a small party of about five hundred who came last, have raised fine crops of corn. They have generally small stocks of cattle and hogs, and will be enabled to subsist themselves without any additional expense from their national fund, from which all their subsistence, removal, &c., has been furnished. No schools have yet been established; they have a separate fund for that purpose, which no doubt will soon be applied. They have four blacksmith's shops in operation, located at different points, so as to accommodate the settlers; a less number might perhaps do, if they were more densely settled; lately, a separate agent has been appointed, and will locate himself within the district allotted for them. This will doubtless bring many around him, and from the individual and national wealth of the Chickasaws they have it in their power to educate and improve their people.

The Creeks adjoin the Choctaws on the south : the Canadian river is the line between them. They are bounded on the east and north by the Cherokees, running to the limits of the United States. Their country is rich and well adapted to raising corn. beans, pumpkins, melons, &c. It is not well watered ; there are, however, some good springs, but like the Indian country generally the large streams, except the main and north fork of the Canadian, generally go dry or stand in large holes during the latter part of summer and fall. The Creek country has been considered unhealthy ; the summer after the late emigrants arrived there were many sick, numbers died. The Creeks were very much disheartened ; indeed, I have no doubt, if the next year had proved so unhealthy, that a large portion of the late emigrants would have gone to Texas, where they had a strong inclination to go when they left their old country. But they have enjoyed very good health since, and are perhaps as well satisfied with their location as any other tribe.

The Creeks still adhere to their ancient mode of working by towns, that is, all who are attached to a particular chief live near together and cultivate what is termed a town field ; it is the duty of all to assist in clearing up and cultivating these fields.

Individuals also cultivate separately. It is conceded that the Creeks raise more corn than any other tribe. This season has been unusually good; they, therefore, will have a very large amount beyond their wants. Their country is not so good for stock raising, nor have they so much as the other large tribes. They are paying more attention to stock than heretofore, and with industry and the large number of cattle soon to be furnished them by the Government of the United States, they will be as well supplied as any of their brethren. The Creeks heretofore have been involved in war with the Government of the United States many of them were sent to their new homes not only with imbittered feelings, but really as hostile. They have settled down promiscuously through the nation, attaching themselves to the McIntosh party known to be friendly to the Government; by which means alone they can no longer, if they were disposed, carry on their predatory warfare. Within the last year the Creeks have manifested a great wish for the education of their people; heretofore they have been opposed to it ; they have now schools among them which are well attended. They have a prejudice against missionaries, arising from the bad conduct of one, which unfortunately will take time to remove ; the consequence is, that they continue their opposition to having them among them. They are divided into what is called upper and lower towns ; this distinction has existed for many years. Opothleyoholo is the chief of the upper, and Roly McIntosh of the lower. To these two chiefs all the towns adhere, each having a chief, who, with the principal chief, hold councils and pass laws for the government of the nation. They have no written constitution, but reduce generally to writing their laws. Although the Creeks are not so far advanced in civilization as either the Cherokees or Choctaws, they are certainly improving. They not only evince it by their increased desire for education, but general appearance at home shows them to be a thrifty and industrious people. They live in good comfortable cabins ; there are but few mechanics among them ; as is the case generally with Indians, this is much neglected. They are furnished by the United States with four blacksmiths, strikers, iron and steel, a wheelwright, one wagonmaker, and also agricultural implements. These are in addition

to their large annuity. The Creeks, as well as all other tribes, have had extended to them the utmost liberality by the Government of the United States. They only require a continued and watchful care over them to place them in the foremost rank of red people.

The Seminoles may be considered as a constituent part of the Creek nation; they speak the same language; they were expected to have settled down as they emigrated upon a portion of country lying between the main and north fork of the Canadian, but they did not remove as early as was calculated on. In the meantime Opothleyoholo, the Creek chief, emigrated with a large body of his people, many of whom located themselves upon the reservation for the Seminoles. By direction of the War Department, under an act of Congress, a country equal in extent to the first has been obtained from the Creeks in another portion of their nation, fully sufficient for the whole tribe now west, as well as those who are yet in Florida. Their present location is between the deep fork of the Canadian and the Arkansas river. A number of the emigrants are now there; to induce them to cultivate corn and make provision for their own support, laborers were employed to assist them in breaking ground and planting; they were late in getting out, and have not made corn enough to support themselves until another year. They are indisposed to labor; their negroes are equally so, who, unfortunately, have great control over them. It is to be deeply regretted that their slaves were ever permitted to enter the Indian country. The Seminoles have a blacksmith's shop, with a striker, iron and steel furnished them on the deep fork of the Canadian; they have also been furnished with agricultural implements, and, as they emigrate, they commence their subsistence for a year; those whose time has expired and are destitute, have had additional provisions furnished. They still show their bad feeling, notwithstanding they have been treated with so much forbearance. Indeed, I have thought some of them would find their way back to Florida, particularly Alligator and some of his associates. The Osages heretofore committed many depredations, by killing stock belonging to other tribes as well as our own people.

To induce them to labor and to unite themselves as a people upon their lands, the Government of the United States, in January last, entered into a treaty with them, affording them great facilities and inducement to become an agricultural people. They provided for the erection of houses, for the building of mills, furnishing stock animals, agricultural implements, blacksmiths, strikers, iron and steel. Under the late agreement the Osages are concentrating in their country, where, with the attention of an agent lately appointed for them, they will probably turn their attention to labor. They have lived heretofore mainly by the chase, but game has become so exceedingly scarce that they must necessarily abandon it. There is no tribe where benevolent societies could do more good than with the Osages. Their character has been greatly misunderstood. They are represented as fierce, and disposed to war; they are on the contrary civil and easily governed. They are a fine looking race of Indians, but little removed in point of civilization from the prairie Indian. They have been reduced very much in numbers within a few years; their country grows corn finely, and no doubt would produce good wheat. It is ample in extent and fertility for the wants of the tribe; it is better watered than many other parts of the Indian country. It is not common to see one of their men working; women cultivate small fields of corn. They have suffered very much for

provision, until the Government has had them temporarily supplied. From their indolent habits, it has thus far been impracticable to induce them, with few exceptions, to labor: they own a number of horses, but very little other stock; there are no schools in the nation; there is a fund provided for education purposes; it is expected that a beginning will soon be made to educate a portion of the children: this can be better done by procuring a competent teacher with a family—by their example in cultivating a small field and garden, and showing the Osage females how to cut out clothing. By such means alone they are to be gradually enlightened, and enjoy at least a small portion of the blessings of civilization.

The Neosho sub-agency embraces the Senecas, Senecas and Shawnees, (mixed band,) and Quapaws. They are in charge of Robert A. Callaway, Esq., a faithful and efficient agent; he resides with the tribe, and gives his undivided attention to their interest and wants. The Senecas number about one hundred and seventy, and are located on the Cowskin, a handsome running stream, which passes through their country, and empties into the Neosho or Grand river. The bottoms of this stream afford a sufficient quantity of timber, with fine land, not inferior to any in the west, for their convenient accommodation, either as farmers or graziers. Their reservation is situated in latitude 36° 36', north, and lies between the western boundary of Missouri and Neosho; it is from twelve to fifteen miles north and south, and from eight to ten miles east and west; about one third of which is prairie of the richest soil, and well adapted to the raising of corn, wheat, oats, peas, beans, Irish potatoes, cabbage, and other culinary plants. The uplands, though less fertile, produce well; the whole reservation may be said to be of the first quality of land. The timber of the bottoms is white and black oak, hickory, black and white walnut, sugar maple, black ash, hackberry, wild cherry, and mulberry; the growth very clearly indicates the quality of the soil. They cultivate about one hundred and fifty acres in corn, beans, &c., and about sixty in wheat and oats, which will yield them a sufficiency for support. They live in log cabins; their residence is so close to the Missouri line, where whiskey can be so easily procured, that the Senecas have become much addicted to drinking spirits; the natural consequence is, that they are becoming indolent. The state laws of Missouri are very good in relation to selling of whiskey to an Indian, but it has not been found practicable to carry them out. The Senecas have a good grist and saw mill. Flour is manufactured at the mills to a considerable extent. The people of Missouri have both grinding and sawing done, which afford considerable profit. It is doubted that too much dependance is placed upon the mills for a support. They have also a blacksmith, striker, iron, steel, &c., furnished them. They have no schools and incline but little to education.

The Senecas and Shawnees, (mixed band,) number about two hundred and ten; their location lies north, and adjoining the Senecas; is about six miles north and south, and from ten to twelve east and west; is divided into about equal proportions of prairie and timber, is similar in point of soil and fertility to the lands of the Senecas. They are, with few exceptions, industrious and less given to intemperance than either of the neighboring tribes. They have generally comfortable log cabins to live in; they cultivate about two hundred and fifty acres in corn, wheat, &c., from which they will raise an abundance for their consumption. They have good stocks of hogs, horses, and cattle; they cut hay from the prairie to support their

cattle and horses upon during the winter. They have no schools among them, and are but little inclined to education. A saw mill is yet to be erected for the Senecas and Shawnees; a suitable stream and site are difficult to be had within their country, although it is finely watered; a plan for the building, with the cost, has been furnished; they have a blacksmith, striker, iron and steel furnished them. The Quapaws, the third tribe attached to the Neosho sub-agency, number about three hundred; their land, containing one hundred and fifty sections, is adjoining and north of the Senecas and Shawnees. When they first emigrated in 1834, the lands designed for them were not properly indicated; the removing agent believed he was placing them upon their own reservation; unfortunately, when the lines were accurately run, they were found to be on the reservation belonging to the Sandusky Senecas, where they remained until the past fall and winter; they had with the aid of their late farmer, Mr. Bright, (an excellent man,) erected for themselves comfortable cabins, and cultivated, in common, considerable ground. They lived, as they formerly had done, in towns. It became necessary to place them upon their own lands; in doing so, the agent and farmer have wisely located each family to themselves, that they may cultivate separately. An appropriation of one thousand dollars was allowed them by their late treaty, to aid them in building cabins, &c. This stipulation is now doing since their removal, and will be complied with before the approaching winter. The Quapaws are an inoffensive people, inclined to be indolent and to drink spirituous liquors. They have no schools in their nation; they express a great wish to have a school among them, and their education fund expended at home where they can see their children. The Quapaw lands are inferior in point of soil to either of the tribes they adjoin; there is too great a proportion of prairie; sufficient table land for the support of the tribe is, however, within their bounds. It is well watered and very healthy; they own horses, hogs, and cattle; have a blacksmith's shop, striker, iron and steel furnished them, with a farmer to instruct them in cultivating their lands.

The bill for the organization of the Indian Territory does not meet with that favor from those for whose benefit it was intended, that its importance and salutary provisions entitle it. They look upon it with great distrust and jealousy; the uneducated and common portion view it as the first step towards extending our laws over them; and even the intelligent and educated, who would be expected to welcome the measure as one every way calculated to advance the true interest and prosperity of the people, manifest the deepest hostility to it. This is to be deeply regretted. The situation and circumstances, since the emigration, render some such bill absolutely necessary for the protection of the weak and the prosperity of all. The past season has been one of general good health; the crops are abundant, furnishing a large surplus, and to all who arrived in planting time a sufficiency. It is at least a pleasing retrospection, if some of the tribes, yielding to the force of circumstances and emigrated to the west, have found a country ample in extent and well calculated, both by fertility of soil, climate, and, indeed, every thing, to make them comfortable. Under such circumstances, with the kind and continued aid of the Government, their destiny may be changed, these people reclaimed, and enjoy the liberty and blessings of a civilized people. They are, however, exposed to many temptations from a portion of our own people. But of all the evils that so easily beset them, that of

intemperance is the greatest. Keep spirituous liquors from them, and their improvement would be onward.

The subsisting of the different emigrant tribes, who are entitled to a year's provision after their arrival in their new country, will close with the present year, except a portion of the Cherokees, whose time may extend a month or two in the next year, with the Seminoles that may arrive, or who may be subsisted from the appropriation for indigent Indians. There is also a small party of Chickasaws, numbering about five hundred, who have not received provision for seven months in addition to their year's supply as the balance of the tribe has done. These, however, have been subsisted from their own fund. Owing to the emigration and the scarcity of provision, the expenses of Indian subsistence have been very great. Emigrants, numbering between fourteen and fifteen thousand, arrived within a month or two of each other. The term of their subsistence is expiring, and in a short time the whole will be closed. The crops in the Indian country are unusually abundant; no future aid will be required, as all who were in the country time enough to plant can subsist themselves. The Government will therefore be relieved from the very heavy expenditures which it has undergone for several years in subsisting the different emigrating tribes. A sufficient military force should be stationed on this frontier to preserve good order, and to enable the Government to carry out the various treaty stipulations. Momentary excitements may arise, whereby the peace and safety of the frontier may be endangered. Taking into view the immense Indian population now concentrated on this border, their ability to carry on a war, together with our exposed situation, it would seem but an act of sheer justice to extend the greatest protection to this frontier.

During the past summer a delegation of Camanches, Kioways, and other tribes, who roam upon the borders of their more civilized red brethren, visited this place; they came by agreement previously made with the late Colonel A. P. Chouteau, who had been appointed, under an act of Congress, to treat with and conduct a delegation of the wild tribes to Washington. At the appointed time and place of meeting, (Camp Mason,) the chiefs came in; they there learned the death of Col. Chouteau; they were, however, brought to Fort Gibson by a Delaware hunter, who understood their language. From Fort Gibson they were conducted to this place by order of the commanding general. I stated to the chiefs that I was aware of their intention in coming on: that if they wished to visit Washington, and see what a vast extent of country we had, and the great number of people they would see on the way, they could do so; but that the season of the year was so far advanced that they would be exposed to sickness, especially as they would have to travel in steamboats, (such a one as they had just seen, and was fortunately at the landing near this place;) that there would be a change of diet, water, and, indeed, every thing; under these circumstances I did not encourage their going on. They finally determined to return, after receiving some blankets, strouding, domestic, and other articles, amounting to four or five hundred dollars, in presents, with which they seemed highly delighted. I was aware that many of our citizens had opened a trade direct from the Arkansas river to Chihuahua, and would necessarily pass through the country inhabited by these tribes. I was, therefore, on that account

particularly anxious that they should return home well-pleased with their visit.

Respectfully, your most obedient servant,
WILLIAM ARMSTRONG.
Acting Superintendent, W. T.

T. Hartley Crawford, Esq.,
Comm. of Indian Affairs, Washington city.

No. 44.

Report of Henry R. Schoolcraft, agent Mackinac, and acting Superintendent, Michigan.

Acting Superintendency Indian Affairs,
Michillimackinac, September 30, 1839.

Sir: Pursuant to instructions and the standing regulations of the department, I have the honor to forward, herewith, statements and abstracts, which exhibit, in detail, the condition and affairs of this superintendency during the year terminating this day, including the disbursements of public funds during the portion of the year that this branch of duty has been performed by the acting superintendent.

The object of this office, as at present organized, is to supervise and conduct the general business of the department with the Indian tribes and with the citizens; to enforce the laws of Congress regulating trade and intercourse with the tribes, and preserve peace on the frontiers; and to fulfil locally with each of them, the existing treaty obligations of the Government. The latter object has largely increased within late years, and embraces at this time the payment of the annuities, the employment of farmers, and mechanics, and teachers, and the application of funds set apart by treaties or by acts of Congress for the payment of their creditors, or half-breed beneficiaries, and for objects essential to their general advancement in civilization and the arts.

Prior to 1836 the fiscal obligations of the department to the tribes within the limits of Michigan were comparatively light. By the treaty of March 28, of that year, the Chippewas and Ottowas of the upper lakes, ceded to the Government the entire peninsula of Michigan north of Grand river, and about 6,000,000 acres north of the straits of Michillimackinac, in that portion of the present State limits which was granted by Congress as an equivalent for the disputed Ohio boundary. This cession was made by these two leading tribes of the Algonquin stock on the principle of making permanent reservations of from 1,000 to 7,000 acres at a few points, reserving at the same time the usufructuary right of living and hunting upon and cultivating the ceded portions of the soil, until it was actually required for settlement. To provide for their advancement, they set apart, out of the ample sum paid to them by the Government for this large territory, funds for agriculture, cattle, and implements, and mechanics' tools, the pay of smiths and artisans, education, books, missions, annual supplies of provisions and salt, to enable them to engage in the fisheries, besides a heavy annuity in coin. It was the design of these tribes, in the original sale, to have these means applied on

their reservations, under the expectation that they would find themselves so far advanced in agriculture, letters, and the arts, at the termination of the 20 years annuity, as to be able to sustain themselves thenceforward without reliance on the chase. When the Senate came to consider this treaty they changed the tenor of the reserves from perpetual to a limited number of years, awarding the tribe an equivalent in coin, to be paid when the reserves were surrendered. This measure, when it came under discussion in their councils, induced the Indians to throw themselves upon the usufructuary right to the ceded territory, secured to them by the 13th article of the treaty, and they subsequently gave up the idea of concentrating on the reserves, as it was foreseen the time would expire before they could derive permanent benefit from them. Five years appeared to them too short a time to justify such of their numbers as were not already located upon these reserves, to change their location and open new planting grounds. This policy, which was not so fully known at the public councils held with them in the summer of 1836, soon became manifest, and there is now no idea entertained among them of a concentration on the reserves, which will all expire in 1841.

The change in the term of the reserves made none, however, in the obligations of the department to employ the mechanics and teachers required, and to execute all the duties assumed by the treaty for promoting their improvement. No time was lost in obtaining the services of competent and industrious men to labor for them and with them.

The accompanying statement, marked A, indicates the number and names of the persons employed in the year ending this day; the salaries paid, the stations occupied, and their places of nativity; together with the number of persons thus employed who are of mixed or Indian blood, to whom places have been yielded in conformity with a provision of the 9th article of the act to organize the Indian Department.

Abstracts B and C denote the amount and kind of work done for the Indians at the shops at Michillimackinac during the year, and the amount of iron and steel and tools purchased, and the articles now on hand. It has not been practicable to obtain similar evidences of the industry of the mechanics at the out-shops in the Indian territory; but the object is one that will be persevered in.

The farmers and assistants have been employed in ploughing the Indian fields, and fencing and clearing land, and taking care of cattle at the Indian stations. Oxen, bulls, milchcows, and swine have been furnished the Indians at various points between the Sault Ste. Marie and Manistee river, together with carts, ploughs, and other agricultural improvements; and, also, mechanic's tools, and lumber for the floors of dwellings, and for plain furniture; and two carpenters have been employed for the past three years to aid them in the proper application of the materials and use of tools.

Abstract D shows the amount disbursed for these purposes from the fund provided by the treaty, during the years 1837, 1838, and 1839. The 7th article of the treaty provides, in general terms, for the employment of two mechanics, leaving it discretionary with the President to designate the kind. It is believed that advantages would result to the Indians, in future, from embracing cabinetmakers, masons, coopers, and perhaps some other trades, in the selection. Whenever it is thought this can be done, I shall lose no time in apprizing the department of the circumstances

of the Indians, and recommending suitable individuals. The true policy has been found to be, in relation to all mechanics, except smiths, and also with respect to farmers, to teach the Indians and to aid them in working, but not to work exclusively for them. Whatever skill in the mechanic arts does not excite the industry of the natives, is not found to be permanently advantageous to their condition. * * * * * *

For these tribes, there has likewise been applied, during the year, the sum of three hundred dollars for vaccine matter, medicines, and the services of physicians; and there have been personally delivered to them, at this office, and at Grand river, and at St. Mary's, two thousand dollars worth of provisions, six thousand five hundred pounds of tobacco, one hundred barrels of salt, and five hundred barrels for curing the lake fish. And there has been paid to them the stipulated annuity of forty-one thousand dollars, in coin, divided in equal shares *per capita*, and paid to heads of families. The department has also discharged for them, during the year, further duties connected with the examinatiou and payment of their debts, and claims arising from treaty obligations. Every dollar due to them in coin, for the year, has been paid in coin, and every article provided to be delivered or paid in kind, has been paid in kind, within the usual time of the year. No effort has been withheld by the agents under the control of this office to ensure promptitude in the payments and deliveries.

Chippewas of the Upper Mississippi.

In the treaty concluded with this tribe, at St. Peter's, on the 29th of July, 1837, one hundred thousand dollars were set apart by them as the acknowledgment of lineage to their half-breed relations, and a reward of services and aid received from them. The department having appointed a commissioner to ascertain the number and names of the claimants entitled to share in this fund, and committed to this office its payment, an agent was despatched to Lapointe early the present month to execute this, and the claimants have been paid, respectively, in accordance with the commissioner's award.

Fifty thousand dollars of this sum were paid in gold of American coinage, and the remainder in bank notes of specie-paying banks.

Swan creek and Black river Chippewas.

By the treaty of May 9th, 1836, these bands, who constitute the remnant of the Chippewas of Detroit, ceded their reservations in Michigan, on the condition of receiving the entire avails as paid in at the land-office, deducting the expense of survey and sale. In addition to which, they were furnished by the United States the same quantity of land west of the Mississippi, as a gratuity. No agreement was entered into as to their removal; but, in order to determine the question, a delegation of their chiefs visited the country west in the summer of 1837, and selected their lands at the forks of Osage river, a location combining the prerequisites of a good soil and climate, running waters, and a due proportion of forest.

These bands have been living amid populous white settlements, in parts of the State where their increase was hopeless, and their decline

and degradation certain. They had dwindled to a small fraction less than 200, in the autumn of 1838.

In the course of the difficulties subsequently existing on the frontiers a considerable number of these went off into Canada, part of whom have permanently settled there. At the payment of their annuity, on the 27th instant, but 91 presented themselves at the pay-table. To these the sum of six hundred dollars, the usual amount, was paid in coin. And the majority of the two bands are now on their way to settle on their new tract in the west, headed by their intelligent chief. Esh-ton-a-quot. By a compact made with them on the 23d instant, their annuity is made payable hereafter on their new location west: and such of their numbers as have declared their separation, by migrating to the Canadas, are excluded from participation in the annuity. It is believed that many who yet linger in the north, even from Upper Canada, will rejoin their friends in the west at no distant date, and that the movement is one sanctioned by their best interests.

Saganaws.

Up to the close of the late war with Great Britain, these bands were the terror of the country in which they lived, and they are chiefly remembered by the elder inhabitants of Michigan for the depredations committed by them on American citizens and property; some remuneration, limited to $10,000, is provided to be made for these depredations by the Indians in the treaty of the 14th of January, 1837; and the sum of forty thousand dollars pledged to them to pay their debts to citizens. The necessary legal examination, preparatory to the fulfilment of this trust, has been made during the year under a special commissioner, and the result transmitted by the proper agent for the sanction of the department.

In the treaty ceding the Saganaw reserves, the United States extends to this tribe the principle previously conceded to the Swan creek, securing the entire proceeds of the sales, deducting contingent expenses, and providing them, gratis, a refuge of proper extent in the Indian territory west. The survey of the ceded lands in Michigan is now in the process of execution, and it is probable that they will be put in market in all the year 1840. Meantime the Indians are secure in a five years' residence from the date of treaty on two of the reserves. This tribe receives a permanent annuity of twenty-two hundred dollars in coin, and a limited annuity of five thousand dollars in coin, and ten thousand dollars in goods. The two latter are advances made to them by the United States, to be refunded from the proceeds of their lands; and the period of these advances will terminate the present year. But little change has occurred among this tribe the present year. They have pursued their usual mode of subsistence, which is derived partly from the Indian trade, and partly from raising corn and fishing. They have suffered less from sickness than during the previous year. Their ruling chief, Ogeema Keegido, died during the summer, and it is contemplated to fill the vacancy by election of the local chiefs.

Minor Tribes.

These consist of fragmentary bands of the Wyandots, the Ottowas of Maumee, the Pottawatomies of Huron, the Menomonies of Bay de Noc,

quet, and that portion of the Delawares and Munsees known in our treaties as the Christian Indians. Of these the Wyandots are the only band that possess any remaining title to soil. They live on a few reserved sections on Huron river, Munroe county, Michigan. They share in the Upper Sandusky annuity, and subsist chiefly by agriculture. The Ottowas of Maumee are wanderers over a part of the country which they formerly owned in the northwestern angle of Ohio. Most of this band have removed to the Indian territory west in previous years; others left the country at the time they were assembled for emigration, and went into Canada. The few that remain will, if they remain in their present location, perish from intemperance and idleness. The Menomonies of Bay de Nocquet are rather interlopers within the western bounds of this agency. Some of them have heretofore drawn pay among the Chippewas of that border. One hundred and ninety-two of this erratic population, with their chief, Shawanegeezhick, have been transferred this year from the Mackinac pay-rolls to Mr. Boyd's sub-agency at Green Bay, where they properly belong. The "Christian Indians" have suffered mutations of fortune of a striking character. These Indians have been under the care of the Moravian brethren from a period long anterior to the revolutionary war. They migrated into Upper Canada about that era; but, finding circumstances in the present settlement at their location adverse to their prosperity, the major part of them set out to rejoin their friends in the northwestern part of the United States two years ago. From the latest account but 37 of the number have, as yet, reached their destination. One hundred and twenty-one were recently reported to me, by their chief, John Peter, as living among the Stockbridges of Wisconsin. Eighty-four remain on the river Thames, in Upper Canada.

Intercourse Laws.

By the accompanying abstract, marked F, it will be seen that thirty-eight persons have been licensed at this office to trade with the Indians, who have given bonds with sureties in the aggregate amount of $11,200. There is every reason to believe that the laws have been in general faithfully observed by the persons licensed, and that ardent spirits have been wholly excluded from the trading stations, excepting the few cases in which the Indians themselves have introduced them. The large portion of country ceded in the region of the Upper Lakes will, in a short time, take from the control of the department and transfer to State laws the observance of police regulations respecting trade and intercourse. It is the practice to grant licenses for any station, as well *within* as *without* the ceded district, which appears, in the meaning of the act, to be "Indian country." This construction is applied, in effect, to all the newly acquired tracts, which have not yet been surveyed and returned into the land-office. It has been deemed questionable, however, whether a prosecution, under the latter circumstances, for infractions of the act of Congress could be successfully maintained by the agents.

Movements and feeling of the Indians.

I am not aware that any facts have occurred which make it necessary to alter the general views on this topic, presented to the department last

year. Numbers of each of the leading northwestern tribes on the upper Lakes have migrated to the group of Manatoulin islands of Lake Huron, Upper Canada; and a still larger number have visited those islands the last summer to share in the distributions of presents, and returned to their usual places of residence in the United States. The policy pursued in relation to both these visits to a foreign post, and the permanent migration of the Indians thither. has never contemplated a resort to compulsory measures to prevent either. The Indians have been counselled as to their obvious interests, but left to their choice in the matter. Those who have emigrated have been informed that they would thereby forfeit their shares of the annuities, which would be divided among the tribe remaining. Neither provisions, nor the benefit of the mechanic's shops have been furnished at the agencies to such emigrants; nor have those gratuities been, knowingly, afforded to the mere visiting Indians.

It is very desirable that the military posts on the Upper Lakes should all be garrisoned during these partial defections, for the moral effect troops inspire in the tribes. I have it from the best authority that rising 3,000 Indians, men, women, and children, attended the last assemblage at these islands, in July and August. A large portion of these, however, were visiters. Could a large colony of Indians be permanently located there, its future influence on the frontiers would be important. But it is doubted whether the soil and climate alone offer sufficient inducements to the United States Indians to settle there. So long as presents are gratuitously distributed by the British Indian Department, there will be a large summer resort; but the withdrawal of these would, I think, as certainly produce a corresponding withdrawal of the Indians.

Interpreters.

Among the objects calling for legislative attention this continues to present itself. The low salary provided for this necessary and useful class of subordinates keeps out of Government employ those best capacitated to serve it. Very frequent changes occur by resignation. The consequence is, the department suffers for the want of faithful, competent men. It is not only necessary that an interpreter should well understand the native languages, but also the English, the principles and forms of which are so widely different. At present, we often suffer for the blunders of interpreters, who are not only illiterate, but not trustworthy.

Regulations.

The restoration of the disbursement duties to the Indian agents renders some of the clauses of the regulations inoperative, particularly in No. 3; and their revision, with a view to the present system, is called for, at the earliest practicable time.

Payment of annuities.

The summer season is a time of leisure and ease with the northern Indians. At this time the pelt of the furred animals is out of season, and they do not hunt. And it is the most suitable time for convening them to

receive their annuities. Could the funds be transmitted, as near as might be, on the first of July every year, the whole of the Indians might be paid before the 30th of September; which being the end of the fiscal year, would enable the officers to make all their returns in season to be laid before Congress. By deferring the payments to October, November, and even December, as is sometimes done, the northern Indians are exposed to much physical suffering, and they are called to receive their payments at a time when they are engaged in making their fall hunts, the neglect of which is an irreparable detriment to them. By transmitting the northern annuities early in the season, there would also be a saving in the cost of the transportation of provisions and other bulky articles, and in the personal services of agents to make or assist in making the payments, as the officers of the department could do the whole duty, if they had the whole summer season to do it in.

I have the honor to be, sir, very respectfully, your obedient servant,

HENRY R. SCHOOLCRAFT,
Acting Superintendent, &c.

Hon. T. HARTLEY CRAWFORD,
Commissioner Indian affairs, Washington.

P. S.—The Indian population within this superintendency cannot be made out till the pay-rolls all come in. It will be furnished at the earliest possible moment, with the accounts.

No. 45.

Report of His Excellency, Henry Dodge, Governor of Wisconsin, ex-officio Superintendent.

SUPERINTENDENCY OF INDIAN AFFAIRS
FOR THE TERRITORY OF WISCONSIN,
Mineral Point, Oct. 18, 1839.

SIR: In obedience to your letter of the 5th ultimo, and in accordance with the regulations of the department, I have the honor to submit my annual report, accompanied by reports from the sub-agents of the Winnebago and Chippewa Indians. The report of the sub-agent at Green Bay has not yet been received, but will be forwarded as soon as it comes to hand.

I shall, first, present the condition of the several Indian tribes of this superintendence, with some general remarks relative thereto; and, second, suggest such changes in the existing laws regulating the Indian department, as would, in my opinion, promote the public interest, and conduce to the benefit of the Indians.

The report of Mr. Lowry furnishes a full and satisfactory view of the situation and prospects of the Winnebago school and farm, near Prairie du Chien; and particularly designates the present location of the several bands of Indians attached to his sub-agency.

By the treaty of November 1, 1837, the Winnebagoes stipulated to leave the country then ceded to the Government in eight months after its ratification. This event, had the treaty been strictly complied with,

must have occurred at a season so inclement, that the greatest difficulty would have ensued any attempt to remove them at that time; and subsequently, in the spring, danger was to be apprehended, it would appear, from the removal, by bringing these Indians in collision with war-parties of the Sac and Fox and Sioux nations, then scouring the confines of their country west of the Mississippi. About two-fifths of the Winnebago nation reside within 30 miles of Fort Winnebago; and from the manner in which several of the chiefs of this portion have expressed themselves in relation to the last treaty, and from their refusal recently, after being duly notified by the agent of the time of payment, to go down into the country west of the Mississippi to receive their proportion of the annuities, a determination on their part is evinced not to comply with their treaty stipulations, but to continue at their present homes. In several letters addressed to your department during the year past, I have fully expressed my views on the removal of these Indians, whose frequent intrusions on the lands south of the Wisconsin, depredating on the stock and other property of the settler, must, unless a removal takes place early in the next spring, be the cause of a very serious difficulty between them and the whites. Compulsory measures will be required to effect this, and a mounted force, to collect them and form an escort, will be absolutely necessary. If the judicious policy of the government, in designing permanently to locate this people south of the Missouri river, could but be carried out, it would be attended with the happiest results to the Indians themselves, and would give peace and security to the frontier settler. The promise, however, of being able to do this in a reasonable time is by no means encouraging, as will appear from the following extract of a letter from Mr. Lowry on the subject, dated 10th instant: "As was expected by me, and suggested to the department, the Indians have refused to explore the country southwest of the Missouri this fall, declaring they never will remove there. I am not disposed, however, to regard their present decision as final on this subject; but think a change in the prosperity of their creditors would procure a favorable action on the mind of the Indians relative to a removal." It is understood that Mr. Boilvin intends to proceed alone to the Missouri country, and will make such exploration as the advanced state of the season will permit. From this mission it is not believed that much good can be effected, as, for the purpose of controlling the annuities and securing to themselves the benefits of them, a mighty influence is exerted by the trader now on the Wisconsin to prevent the emigration of the Portage bands west of the Mississippi; and this influence the traders of the whole nation combined will continue to exert, to retain them in the country assigned them under the treaty of 1832.

Prairie du Chien and the Portage of Fox and Wisconsin rivers have, for a half century back, been places of resort for these Indians to trade, where spirituous liquors have been freely dealt out to them. Their intercourse with the white man at these places has tended to produce and to confirm in them habits of indolence, vice, and dissipation, subversive of their best interest. Unfortunately, these poor deluded creatures esteem those to be their best friends who most freely gratify their strong propensities for drinking, and whose motives are of the most mercenary character. Indeed, it has been long apparent to the intelligent portion of the community, that the Indian can only be redeemed from his present de-

graded state by the protecting policy of the Government removing him where intercourse with the white man can be prohibited, and establishing schools and farms among them, under the supervision of competent agents. Thus, by instructing the rising generation in a knowledge of letters, and acquainting them with the arts of agriculture, and the easy and certain subsistence the tillage of the soil affords, the adult Indian, by their example, would be gradually withdrawn from the chase, his roving inclination would be overturned to habits of industry, and the whole nation ultimately converted to agriculturists and stock raisers, and brought to appreciate the benefits of civilization. With these advantages, and in the enjoyment of the large amount of specie, goods, and provisions, annually secured to them, they would become a happy and prosperous people.

The report of Mr. Bushnell contains the census and location of the different bands of Chippewas belonging to his sub-agency; designating those who have participated in the annuities under the treaty of 29th July, 1837. At that treaty, all the bands of the Chippewa nation, west of Lake Michigan, were represented, although several of the chiefs then present, and who signed the treaty, disclaimed any interest in the cession made; declaring that those only who immediately occupied the land sold were entitled to the annuities. It was, however, deemed proper that the whole of the bands should become parties to the treaty, leaving it to the tribe afterward to determine their rights under it. These Indians depend much on their annuities; and it is a matter of vital importance to the people settled on the St. Croix and Chippewa rivers that the Government should strictly and fully comply with all the requisitions of that treaty. It will not only afford peace and safety to the settler on those rivers, but will attach those Indians to our Government, and prevent and destroy the influence to be apprehended from agents of the British government. Heretofore, the Chippewas have been wholly dependant on the American Fur Company for arms, ammunition, and supplies of every kind; and their country has been apportioned among these traders as best suited their convenience and interest. Until within the past two years, our citizens have had very little intercourse with them. Like all other tribes of remote Indians, they are fond of war; and it would be extremely difficult, in their present state of feeling, to restrain them from attacks on their old enemies, the Sioux. You have been advised of the killing of more than one hundred of the Chippewas by the Sioux, on the 4th July last: an event greatly to be deplored. The warfare between these nations has continued so long, and so deep rooted has become their animosity to each other, that a peace effected by the mediation of the Government would be of short continuance. Although it is contrary to the long-established policy of the Government towards those nations of Indians with whom it is in friendly intercourse, it is highly probable that the vindictive wars that have existed, and yet continue, with these people, are calculated to preserve peace with the whites, and to promote the safety of the remote settlements on the St. Croix and Chippewa rivers, which would be completely in the power of the Indians meditating an attack.

The Chippewas possess a very large extent of country, extending to the sources of the Mississippi in the west and Lake Superior in the north, interspersed with numerous lakes connecting with the waters of the Mississippi and the rivers emptying into Lake Superior, furnishing fish and wild rice in abundance, which afford them great facilities for travel in

canoes. This, and the fact that the country, from its high northern latitude, is illy adapted for agricultural purposes, render it probable that these people will retain their wandering and warlike habits.

Not having received the report of Colonel Boyd, the sub-agent for the Menomonies, I can only at this time present a general view of their condition to your department. The Menomonies retain their wandering habits, and are divided into several bands: some of which raise small quantities of corn on the Oconte, Menomonie, and Fox rivers. They, however, principally depend on their annuities from the Government, and on fowling and fishing for a subsistence. They are scattered over a large extent of country, which I think it would be the policy of the Government to purchase and remove them to the country southwest of the Missouri. Such a measure would be greatly to the advantage of these Indians; and the title to a large and valuable tract of country, bordering on the Fox river, and extending from the Wolf river to the Portage of the Wisconsin and Fox rivers, would be thereby extinguished. Some of these lands are in the immediate vicinity of and adjoining the contemplated canal, connecting the waters of the Wisconsin with those of Fox river: a work of immense importance to the whole country, as opening a direct water communication between Lake Michigan and the Mississippi river, and which, when completed, must increase greatly the growth of that part of the Territory bordering on these rivers, by bringing into market a large and fertile district of the public lands. The advantages that would result to the Indians and the Government from the extinguishment of the Menomonie title to those lands bordering on the Fox and Wisconsin rivers, will be admitted by every one acquainted with the country and with the situation of this people. The Menomonies derive but little advantage from that portion of their annuities which is paid in specie, as the traders give them sufficient credits during the year previous to absorb that fund for the most part, and these possess influence enough at the payment to convert it from the hand of the Indian immediately to their own pockets. The experiment made under the treaty of 1831, to establish farms, furnish farmers, and to teach the Menomonies the arts of agriculture, proved a failure; yet, were these Indians removed to the country southwest of the Missouri, afar from the influence of their *white friends*, with the example of the different tribes of red men who have become agriculturists and stock raisers on that frontier, the tendency would be to restrain the elders in their present erratic and dissipated habits, and the rising generation would be greatly improved. It is, at all events, worthy an experiment, and the condition of the Indian cannot be made worse thereby. The Menomonies and Winnebagoes are at this time friendly disposed towards each other; the difficulties of the last summer having been satisfactorily adjusted. The most friendly disposition, too, on the part of these Indians, has always been evinced towards the white settlers, and no complaints of intrusions upon the lands or property of the borderers have been heard. Indeed, no nation of Indians on the borders of our whole country have stronger claims on the friendly regard and protection of the Government than the Menomonies.

The Oneida, Munsee, and Stockbridge Indians, that are located within the Green Bay sub-agency, appear more like civilized than savage people, depending on the cultivation of the soil for their support. A part of these are very desirous to exchange the lands they now occupy for lands

of the Government south of the Missouri river, and another part express an anxiety to be admitted to the rights and privileges of citizens. I am induced to believe that if this exchange of lands was effected, the condition of these Indians would be eventually improved. The Missouri country is better adapted to the growth of corn and the raising of stock, than that now held by them; and they would be removed from an intercourse with the whites—always fatal to the Indians. For this latter reason, these families found it advantageous to emigrate from the State of New York to Green Bay many years since; and now that their settlements are about to be surrounded by a white population, the same inducement will prompt them again to change their location. From the earliest period of the settlement of our country history has shown that the Indian never prospered in the vicinity of the white man. Few in numbers, the Oneidas, Stockbridges and Munsees more especially require the fostering and protecting care of the Government; which, I trust, will be extended to them. * * * * *

Very respectfully, your obedient servant,

HENRY DODGE,
Supt. Ind. Affairs.

T. Hartley Crawford, Esq.
Commissioner of Indian Affairs

No. 46.

Report of D. Lowry, Sub-agent at Prairie Du Chien.

Physical aspect of the country.

The general face of the country, with the exception of that portion immediately in the vicinity of the school, is undulating, alternately beautiful groves of timber and rich prairies. Water privileges, too, are found in abundance on streams of the most lasting character.

But little is known of the mineral resources of this country, as the spirit of enterprise is yet too limited to call forth experiments on this subject.

Numerical strength of the Winnebagoes.

Nothing definite can be said on this subject, as the only data on which we have to rely is the pay roll of the tribe, which I have no doubt presents a very incomplete and inaccurate return of the number of Indians belonging to the several bands. The head of each family wishes to make his number as large as possible, knowing that he draws money according to the inmates of his wigwam; and very often the chiefs who witness the fraud and whose business it is to correct it are afraid to exercise their authority.

My predecessor, Major Boyd, estimates the number of Winnebagoes at five thousand, men, women, and children. One thousand and eight hundred of this number are considered as warriors. I have no authority for saying this is incorrect, though I think the number full large.

Location of Indians.

Big Canoe's band live on Black river, east of the Mississippi, near one hundred miles from Fort Crawford. The band under the brother of Big Canoe, Wah-con, reside in the same vicinity on the Mississippi. Win-o-shick's, on the Upper Iowa river, west of the Mississippi, fifty miles from Fort Crawford. The band of Two Shillings, at the Winnebago school, on Yellow river. The united bands of Little Priest and Whirling Thunder, at a new farm recently opened for them, fifteen miles west of the school.

Indians of the Portage.

Yellow Thunder's band reside in the Menomonie country, on the south side of Wisconsin river, fifteen miles from Fort Winnebago. Caramana's, on the Baubois river, twenty-seven miles from Fort Winnebago. Dandy's and Little Soldier's, sixteen miles from Fort Winnebago, on the same river. Decory's, eight miles from the garrison, on the same river. The Big Head's band have no settled home, but encamp about the country wherever it is most convenient.

Indian houses.

The villages of these Indians consist of huts, made either of bark or flags, crowded together without order in their arrangement. Here they live in the summer, and cultivate patches of corn with hoes. These fields are generally without enclosures, and all the labor performed on them is done by the squaws. In the winter these Indians change their encampments as the prospect of game suggests, being entirely dependant on the chase for the means of subsistence, except the few bushels of corn raised at their villages and the provisions drawn from Government, which, were they capable of taking care of them, would go far towards relieving their wants. But such is their improvidence that these provisions are generally exchanged in a few weeks after they are received for whiskey.

General suggestions.

It would be of great service to these Indians could their provisions be delivered to them early in the spring, as at this season of the year they are almost entirely without the means of subsistence, and generally commit more depredations among the whites than at any other time.

D. LOWRY, *U. S. S. Indian Agent.*

P. S.—An amicable understanding exists between the Winnebagoes and other neighboring tribes, so far as I know, except a small difficulty with the Menomonies, which will no doubt be settled to the satisfaction of the parties concerned, in a few days.

D. LOWRY, *U. S. S. Indian Agent.*

No. 47.

Report of D. P. Bushnell, Sub-agent at Lapointe.

SUB-AGENCY FOR CHIPPEWAS,
Lapointe, August 24, 1839.

SIR: In compliance with the regulations of the Indian department, I have the honor to submit the following as my annual report:

* * * * * * * *

Number of the tribe and their location.

The following is an accurate census of the bands who share in the annuity by virtue of the treaty of 29th July, 1837, with the location of their respective villages, namely:

	Men.	Women.	Children.	Total.
Pelican and Wisconsin river villages	139	138	145	422
Lac Du Flambeau village	151	148	166	465
Lac Comtrouille village	82	86	152	320
Chippewa river village	88	93	130	311
Pa-qua-a-mo's village	26	33	47	106
Folle avoine villages	161	212	288	661
Mille Lac villages	66	82	104	252
Gull lake and Swan river village	55	72	119	246
Sandy lake village, (on the Mississippi)	42	59	83	184
*Fond Du Lac village	73	101	103	277
*Lapointe village	82	96	135	313
Total	965	1120	1472	3557
To which add the remaining villages, the population of which is not accurately known, but which has been estimated from the best sources of information, and it is believed will be found sufficiently correct for general purposes, as follows:				
For Leech lake village	200	220	400	820
For Rainy lake and Lake Vermillion	100	110	200	410
For Lake of the Woods	80	90	150	320
For Grand Portage	30	35	70	135
For Red Lake	70	90	130	290
Total in the Lapointe sub-agency	1445	1665	2422	5532

Of this number one fifth may be estimated as warriors, making over eleven hundred.

* These two villages will not be paid this year; this census is taken from the pay rolls of the previous year.

Sites of public buildings, &c.

There are no public buildings of any kind at this place. Letters should be sent to Sault de Ste. Marie, it being the nearest post-office.

Mineral resources.

From the specimens of iron and copper that I have seen, I have no doubt those minerals exist to some extent in the vicinity of this lake. The researches of a geologist and mineralogist might be productive of important discoveries.

* * * * * * * *

I have the honor to be, sir, very respectfully, your most obedient servant,

D. P. BUSHNELL.

His Excel'y, HENRY DODGE,
Superintendent Indian Affairs.

No. 48.

Report of his Excellency, Robert Lucas, Governor of Iowa, ex-officio Superintendent.

EXECUTIVE DEPARTMENT, IOWA TERRITORY,
Burlington, October 23, 1839.

SIR: The report of Major Taliaferro, transmitted on yesterday to the department, gave a detailed account of the number, location, situation, and habits of the several bands of Sioux Indians within the St. Peter's agency, together with a description of the country occupied by them—to which I have nothing to add, not having an opportunity to visit personally those tribes of Indians, but I would respectfully solicit the attention of the department to the suggestions in his report, recommending a further purchase of lands from them. If the claim of these Indians to the land lying between the neutral ground and the St. Peter's river, and from the Mississippi river westward to the Blue Earth river of St. Peter's, and the Cactus, a branch of Calumet or Sioux river, of Missouri, it would be of immense importance to this territory, as well as the United States. It would effectually separate the Sioux from their implacable enemies the Sac and Fox Indians, and add greatly to the security of the frontiers of the United States in this region of country.

The Sioux Indians are constantly at war with some of their neighboring tribes, yet they appear to be friendly disposed towards the United States, and I have no doubt will continue to be friendly as long as a proper attention is paid by Government to their affairs.

The country occupied by the Sac and Fox Indians embraces the head waters of Grand river of the Missouri on the south, and extends north from the Missouri line to the neutral ground, embracing the Des Moines, Checauque, Iowa, and Red Cedar rivers. The country is not surpassed by any lands in the United States as to fertility of soil. This country is described as being well watered and interspersed with timber and prairie

land. It is well adapted to agricultural purposes, and abounds with mineral coal, marble, and various other minerals. The boundary of the land ceded to the United States by these Indians, in 1837, has been recently run. Previous to the boundary being known, some of the citizens of the United States had made improvements on the Indian lands, in consequence of which the four principal chiefs solicited the privilege to visit Washington city with their agent and interpreter, (see General Street's letter of the 16th of September,) with a view to make a further cession of land, and to alter the boundary line so as to run from the present boundary on the Missouri line, due north, to the neutral ground; this would embrace half a million of acres of land or more, and would contain within the proposed cession the improvements made by Government on the Iowa river. under the treaty of 1837.

I am still of the opinion, as expressed in a former communication, that could the Government of the United States purchase of the Sac and Fox Indians the whole country claimed by them in this territory, and remove them south of the Missouri river, where they would be entirely cut off from the white settlements, and introduce schools among them under the care of pious missionaries, that their propensities for war would be overcome, their wandering habits reclaimed, and they ultimately become a civilized and agricultural people. There has not as yet been a school or missionary established among these Indians, and I am satisfied from personal observation that there are no people more susceptible of improvement than they are. But to prepare them effectually for civilization. they must be first Christianized by the introduction of the Gospel among them; with the aid of schools, its beneficial influence would soon be felt, and its effects manifested by the moral deportment and desire for improvement, which would open the way to civilization and habits of industry generally. This subject I consider of the greatest importance to the future welfare and prosperity of these Indians. But should it be found impracticable to induce them to remove south of Missouri river, I am clearly of the opinion that, should a further cession of land be made by them, it ought to extend to all their lands between the Des Moines river and the neutral ground. The line the chiefs propose in their letter would include the improvements made for Powasheek's band on Iowa river. If this band had to remove, it is probable they would be willing to remove south of Des Moines river, near the other bands.

These Indians have an idea that their lands will become immensely valuable, and by selling small parcels at a time they will ultimately obtain a high price for them. The policy, as I have heretofore observed, of purchasing Indian lands in small parcels I think a bad one, both for the Government and the Indians. The Government will have to give, comparatively, a very high price for this small parcel of land, and the avails are generally expended by the Indians more to the advantage of the trader than themselves. It should be kept in mind, when treating with the Sac and Fox Indians for cessions of land in this territory, that they have heretofore acknowledged by treaty the right of the Ioways to a portion of their lands, and that Government has obtained from the Ioway Indians a relinquishment of all their right to lands north of Missouri river; consequently the United States have a joint claim with the Sac and Fox Indians to the land in this territory. This, in my opinion, ought to be pressed upon the consideration of the Sac and Fox Indians at

all subsequent treaties that may be held with them for a further cession of lands to the United States.

Should the department think it advisable to authorize a treaty for a cession of land, on the application of the chiefs as expressed in their letter of the 16th of September, I would submit to the department the query, whether it would not be likely to give more satisfaction to the whole confederated tribe to have the treaty held in the Indian country, where the chiefs would act in the immediate presence of their braves and warriors, and where all would have an opportunity of participating in the council. The head chiefs, I regret to find, do not possess the confidence of their respective bands as much as could be desired; some of them are quite unpopular with the braves and warriors, and are suspected by them of being controlled by the agents of the American Fur company and other traders, to their prejudice.

In regard to the laws regulating Indian affairs, I concur in the views expressed by Governor Dodge in his report to the Commissioner of Indian Affairs in 1837, and am satisfied that the benevolent designs of Government towards the Indians can never be consummated until the power and influence of the traders are counteracted. They exercise in many respects a controlling influence over the chiefs. Their interests are opposed to the policy of the Government, and frequently their influence is exerted to embarrass the officers of Government in the discharge of their official duties. The laws are not only evaded, but often violated by persons in the employ of traders, who introduce spirituous liquors or wine into the Indian country, or keep it near the borders where the Indians can be supplied with it at pleasure. Although I think it difficult to prevent an evasion of the laws by the traders, or persons in their employ, yet, I am convinced it would have a beneficial tendency in checking this nefarious practice, if every Indian trader was required, before they were permitted to trade, to take or subscribe an oath or affirmation, *that they would neither directly or indirectly, give, sell, or permit to be given or sold, by any person, or persons in their employ, to any Indian or Indians within the United States, any spirituous liquors, wines, or other intoxicating drinks, or permit such spirituous liquors, wines or other intoxicating drinks to be taken into the Indian country, or near its borders, and that they would use all due diligence to prevent any such spirituous liquors, wines, or other intoxicating drinks, being given, sold, or taken into the Indian country, or near its borders, by individuals not in their employ;* and that a failure to fulfil such oath or affirmation be deemed guilty of perjury, and subjected to all its pains and penalties.

The foregoing suggestion I made upon a former occasion, and now most earnestly press it upon the consideration of the department, for until the practice of furnishing the Indians with intoxicating drinks is suppressed, all our efforts to improve their condition will be measurably ineffectual.

The payment of the annuity to the Sioux Indians was made to the heads of families, and as far as I have been informed, was entirely satisfactory to the nation.

The payment of the annuity to the Sacs and Foxes was made to the chiefs, and was handed over to the agent of the American Fur company, which caused considerable dissatisfaction, as will be seen by a letter containing the expression of several Indians on this subject, which is here-

with transmitted for the consideration of the department. By a careful examination of this letter, the malign influence that operates upon some of the chiefs of this tribe will be plainly discovered. The braves have sent me word by a messenger that they were dissatisfied with the proceedings, and asked to have a talk with me on the subject as soon as they returned from their fall hunts, and were desirous that their complaint should be forwarded to the President through me. I informed the messenger that I would attend to their request. Should they meet me in council, their complaint and views will be promptly transmitted to the department. In anticipation of such council, I refrain from an expression of my opinion on the subject in this report, but am fully satisfied that the mode of paying the annuity to the chiefs ought to be changed to that of a more general distribution among the Indians, and if they could be prevailed upon to require the annuity to be paid to them in goods by the Government at cost and transportation, it would secure them in a great measure against the impositions that have so frequently been practised upon them by the traders.

The difficulties that arose last summer between a war party of the Sac and Fox Indians and an encampment of the Omahas, I believe have been satisfactorily settled. The Omaha prisoners taken by the Sac and Fox warriors have been returned to their tribe, and I have not learned that the Omahas manifest any disposition to seek revenge for the injury done them.

There is not the least probability of our ever being able to effect a reconciliation between the Sac and Fox Indians and the Sioux. Their animosity seems to be implacable, and until they are separated by a barrier that neither nation can pass, we may expect to hear of occasional depredations on each other by these tribes.

These two tribes are the occupants of the frontier of this Territory, and are the only Indians to which we are at present exposed; though at war with each other, they both express friendship for the United States. Their friendship I have no doubt may be rendered permanent by a proper regard to their rights, and our fulfilling promptly all treaty stipulations with them; but they cannot bear disappointment or delay in our fulfilling our promises to them, without murmuring.

I therefore consider it indispensable in securing the continued friendship of these Indians, that we should be prompt in fulfilling all treaty stipulations, and that the annual payments should be promptly made at the times and places promised in the several treaties made with them. I therefore urge upon the consideration of the department the necessity of having remittances made to this remote superintendency early in the season, while the navigation is uninterrupted, so that payments may be made at the precise times and places specified in the several treaties with these Indians. If this is done, our peace with the Indians will doubtless be continued; if not, the safety of our frontier may be endangered by disappointing them.

By the treaty concluded with the Winnebagoes the 1st of November, 1837, this tribe ceded to the United States all their lands east of the Mississippi river, and agreed to remove, eight months after the ratification of the same, to that portion of the neutral ground west of the Mississippi river, which was conveyed to them in the second article of the treaty of the 21st of September, 1832—with permission to hunt upon the

western part of said neutral ground, until they shall procure a permanent settlement. This tract includes that portion of the neutral ground lying between the east branch of the Red Cedar river and the Mississippi. I have been much gratified to learn that the department is using means to effect the removal of these Indians south of the Missouri river. Should they have been removed to the neutral ground designated in the treaty, I am apprehensive that difficulties would have ensued between them and the Sacs and Foxes, and probably with our frontier settlers near the neutral ground. A party of the Winnebagoes last spring came to the Sac and Fox country, and Keokuck, the principal chief, immediately complained to me of the encroachment, and requested that they should be removed to their own country, which they did on the request of the Sac and Fox chiefs being communicated to them.

I hope that satisfactory arrangements may be made, so that the Winnebagoes may be permanently removed south of the Missouri river, in the Indian country.

The withdrawal of the services of officers of the United States army from the Indian Department as disbursing agents, and transferring the duties to superintendents and Indian agents, must have embarrassed the department under its present arrangement. This embarrassment, in my opinion, would be removed, and the public interest advanced by the appointment of a special paymaster to each superintendency, whose duties it should be to disburse all moneys appropriated by Congress for Indian affairs within their respective superintendencies. The appointment of such an officer, under proper regulations, would add greatly to the convenience and prompt payment of public funds, and would harmonize the system of disbursements in the Indian Department.

The extreme press of public business, in connexion with indispensable official duties as Executive of the Territory, and in the absence of clerical aid in the Indian Department of this office, must account for the tardiness of this report, and omissions in its detail.

With sincere respect, I am your obedient servant,

ROBERT LUCAS,

Governor of Iowa, and
Superintendent of Indian Affairs.

Hon. T. HARTLEY CRAWFORD,
Commissioner of Indian Affairs, Washington.

No. 49.

Report of Lawrence Taliaferro, Agent, at St. Peter's.

NORTHWESTERN AGENCY, ST. PETER'S,
IOWA TERRITORY, *September* 30, 1839.

SIR: I have the honor to submit herewith the following, with other reports (in place), embracing the numbers and locations of the several tribes of Sioux within the prescribed limits of this agency; together with such other general information (called for under the Revised Regulations) as may be useful to the department, or of interest to the public.

Medawakantons.

This tribe number exactly 1658 souls : 484 warriors, 406 women, and 768 children of all ages. These reside in seven detached villages, composed of bark houses; and in winter, buffalo, elk, or other skin lodges are resorted to during their migrations or hunting excursions. The idea of hereditary chiefs is nearly lost sight of with this tribe; therefore, each town may be found governed by its own *little king*, many of whom possess but little influence with their people. After disposing of all their lands east of the Mississippi by the treaty of 1837, these people have been prevailed upon (such as had been residing east) to remove west—which has been arranged permanently, without expense or trouble, and they now rest upon their remaining soil west, extending from the *Little Rapids* of the St. Peter's to the neutral ground line, twenty miles above the upper Iowa river. All the bands of this tribe have, under the liberal provisions incorporated in their treaty, been supplied amply with agricultural implements; well-qualified farmers have been assigned to each town, and two blacksmith shops put in *blast* at points suited to the views and wishes of the Indians. There have been distributed, under the 6th clause of the treaty of 1837, at the date of this report, $5,789, in work cattle and horses, wagons, carts, ploughs, &c., for the use of the farmers for the benefit of the Indians. The smiths and armorers, employed under the treaty with the Medawakantons, are of the first class of mechanics, and these have been diligently engaged in making and repairing every description of useful work--guns rendered useless are renewed by these indispensable mechanics. The report of Mr. Pond, the farmer of Lake Calhoun, presents a flattering prospect for his charge, which has, under his direction, raised some 2,300 bushels of corn, 200 bushels of potatoes, and other vegetables. Some one or two Indians ploughed and raised their own crops--*all labored* with the hoe. Mr. Holton reports 1,500 bushels of corn, many potatoes, &c., raised at the village of Little Crow;--and from all I can learn of the other farms, over 6,000 bushels in all have this year been housed. Comfort and abundance are now placed within reach of economy and industry: but it is painful to confess, that the peculiar habits of indolence, and total disregard and want of knowledge of the value and uses of time and property almost forbid any hope of a speedy improvement in either the physical, moral, or intellectual condition of this or any one of the northwestern tribes. Yet in some few instances, and under more favorable circumstances, they have turned their attention to the soil for support—a change for the better seems in the wake of industry. The general features of the country of this particular tribe are level, with undulating rolling prairie lands, interspersed with ravines and valleys, as you approach the Mississippi from inland. It is well watered; having the Crow, St. Peter's, Cannon, Racine, Desembarras, and numerous other small streams passing through it to the great "Father of Waters," with numerous inland lakes, many of which afford fine fish. The soil is generally what is termed *second* rate, though its texture improves as you approach the low or wood lands. Timber is yet to be had, but in time must be succeeded by *coal*, of which no doubt is entertained of its location. Lead ore prevails to a greater extent on the lands ceded by the treaty of 1830 to the half-breeds on Lake Pepin, than elsewhere in their country. Over 325 acres of land have been broken and planted this

year, and the result of the crops is as before stated. With attention and management, this people may do well.

East Wahpeetons.

This fractional band number 325 souls, and have their village at the "Little Rapids" of the St. Peter's, 35 or 40 miles from the agency, and are the first neighbors to the Medawakantons. They are poor and miserable, raise but little corn, and their dependance upon the chase precarious and doubtful; as their country though good, from being much hunted upon by the Chippewas, their game is at an end. Their *fate* is *sealed*, and *they are anxious for a treaty with the Government;* and I believe it to be the only means whereby this remnant of people may be saved much suffering and certain destruction in a very few years from want and sickness.

South Sussectons.

This people, once formidable, have become much reduced from *migrations*, and wars with the Sacs and Foxes at a former period, and are reduced in number to 276. On leaving the Terra Blue river and the Pelet Rosche, they have taken up their residence at the river "Aux lairds," and a position at the Swan lakes, near the "Traverse des Sioux," contiguous to and on the river St. Peter's, and over one hundred miles from this post. The country claimed by this fractional band is an interesting one, beautiful to view, pretty well timbered and watered. I have it from a respectable citizen, that evident signs of the best stone coal prevail in this region, and that specimens taken by him to St. Louis were pronounced well adapted to furnaces. A small interest is held by these people in the treaty of 1830, July 15, which expires by limitation in 1840. But little corn is cultivated; and the game having become greatly diminished of late years, the trade of corn has declined in the same ratio with this fact, and the decline in the price of the *muskrat*, their staple commodity of barter with the white man; hence much suffering was experienced during the past fall and severe winter, and this unpleasant state of things will continue until some portion of their country is ceded to the Government, and these destitute people, with others of their nation, equally interested in preserving friendly relations with us. A trader knows his own interest too well to barter something for nothing; and so long as there is a possible hope of gain, so long will the Indians be served, flattered, and counselled to his purpose; but as soon as his money and his skins fail him, the poor Indian is driven from door to door, and may be left to starve, without the poor boon of a glass of rum even, to enable him to weep over his approaching destiny.

Wahpaakootas.

This ill-fated tribe, from being once warlike and a terror to their enemies, have, since 1812, nearly been exterminated. Many have been cut off by marauding parties from the Sacs and Foxes, besides those who fell in battle. This state of things, in connexion with the small pox, has left but 325, and they are wending their way to their destiny with rapid

strides. Yet this tribe, in conjunction with the South Yanctons of the river Des Moines, once held nearly all the soil comprising the beautiful territory of Iowa. It was permitted the Sacs and Foxes to conquer it, and thence it fell into our hands. The Government owes something to the Wahpaakoota Sioux. Without a fixed home of security against their implacable old enemies, the Sacs and Foxes, they can raise no corn; and though interested in the small annuity under the treaty of 1830, this is now of not even a temporary sufficiency, and the pittance received ends with the year 1840. From the head waters of the Des Moines they pass over a beautiful country, touching on the Cannon river, the Mixed lakes, Terra Blue, and the other tributary streams. Water power abounds upon the Cannon river, and in other portions of the country. These people claim an equal right in the famed *pipe-stone quarry* with the Susseeton Sioux. This bed of red soapstone may be considered as the joint property of both of the tribes. The past year the American Fur company felt themselves obliged to stop their credit system with some of the tribe of Sioux. This, although I believe it will if continued be for the good of the tribes, has borne heavily upon all during the past winter and spring, and contributed greatly to their poverty this summer. It has been with some difficulty that the agent could preserve order or his own personal standing from this and other vexatious causes.

West Wahpeetons.

This band of Indians reside at Lac-qui-parle, on the river St. Peter's, and number 425—are at war with the Chippewas—and raised nothing, but depended upon the chase alone for subsistence, and with no means of improving their condition, until the American Board of Missions located the Rev. T. S. Williamson, M. D., and S. R. Riggs, A. M., at Renville's trading post. Since when, a visible change for the better has been effected in the habits and general conduct of the tribes around their mission station. Lands have been broken, and they have planted—their women have been taught to spin and knit, and by last accounts, the *farmer* at the mission was engaged in framing a *loom* in which it was in contemplation to instruct the females in the art of weaving cloth. It is justly observed by a highly intelligent member of the mission, that "although we have the evidence before us, that in reference to the cultivation of the soil the Indians are improving as rapidly as we could expect from persons of their slothful habits, yet you will readily perceive that they are *poor* and *needy*, and are the fit objects of such favors as Government can bestow upon them." They have remarkably few horses and cattle; and in reference to other things, such as they use, many are equally destitute. The jealousies and *internal* strifes of the Indians generally will prevent them from possessing live stock of any kind to any considerable amount for perhaps a long time to come; but still I hope for better days and a brighter era in the history of the poor Indian. I have said in another place that a portion of the civilization fund might be beneficially applied in aid of the improvement of a people having no treaties with us, and whose friendship must, in due course of time, prove important to the growing border population of Iowa and Wisconsin. The general features of the country owned by this band is similar to that of many other sections

of country claimed by the *Dacota* nation. Timber, however, is not very abundant--soil and water as observable elsewhere.

North Susseetons.

This tribe number 980, and at certain seasons are encamped at the Big Stone lake on the St. Peter's, and at Lac Traverse; and from these points (raising little or no corn) follow the chase for subsistence, and roam over the country on the Chippewa border, (with whom they are at war,) on Red river of the north and its tributaries: often in company with the *Yanctonas*. The trade, during the past season, was withdrawn for these people from Lac Traverse by the American Fur company, and this being their main post for the exchange of buffalo robes and other skins and furs, much suffering and want have been experienced in consequence of the necessity the company felt themselves under to suspend their business for a time at least with these people. Many in consequence had to resort to the Missouri in quest of supplies, and a few to the British settlements on Red river. The small-pox, in connexion with some natural causes, has tended to diminish the general census of the Indians within this agency; and a perceptible decrease has taken place within the last twenty years that I have been their agent. Internal feuds and jealousies at an early period produced the dismemberment of bands and tribes; hence the secession of what are termed the "Five Lodge" bands of Susseeton Sioux from the main tribe; who were a terror in former days to all travellers, and have now fixed their village near the "Two Woods lake," or on what is called "Wa-ta-pah-ink-pah" river, near the confines of the Coteau de Prairie, and at present number 245 souls, and depend mainly on the chase for food and raiment. The rough draft of the map transmitted with my last annual report to the department presents a condensed view of the physical aspect of the Dacota country, its rivers, lakes, and water power, the numbers and locations of the several tribes of Sioux, timber and mineral developments, site of the agency buildings, &c.: from which there have been remarked but few changes during the past year worthy of observation.

Yanctonas.

This is the most populous tribe of Sioux within this agency, and have at times been troublesome on the plains, and may be rated at 2150 souls. These depend on the buffalo for subsistence and raiment to a very great extent, as they trade but little any where, and roam in the country on Red river of the north and its tributaries, and upon those of the Missouri, and rest with others at certain seasons at the "Devil's lake," beyond the Cheyennes of the north. One or two seasons past the small-pox was quite destructive among these people; upward of 60 lodges perished by this loathsome disease. Their country is extensive and would afford ample subsistence for their population, were it not for the annual encroachments by the half-breeds and freed men from the English posts and settlements, who hunt within the limits of the Yanctonas' country and destroy an incredible number of the Buffalo, which is dried and broken into *pembican* for the Hudson bay and Red river posts. The Indians have fre-

quently complained of this infringement of their rights at this office, and the subject was laid officially before the Government. A trading post for the "Devil's lake" has been authorized, though the supplies taken into that quarter will not be equal to the wants of the Indians.

Assinaboine, or Stone Sioux.

The Stone Sioux, as they are termed, have been but little noticed or attended to, and are but imperfectly known, and from the best information at hand number over 3,000. Some scattering members have visited this post with the Yanctonas. They range over the country about "Devil's lake," and upon the Assinaboine, a tributary of North Red river; and in consequence of an accidental rencontre with the Yanctonas two years since they removed into the high lands, and resorted to the Missouri for purposes of trade. This band being a roving one and as frequently on the Missouri as upon the waters of Red river, but little attention has been paid to their affairs in my former reports. The scientific expedition, which is now progressing with their interesting labors in the southwest and western sections of this agency, may be soon expected to report, when the geographical position of this, as well as some ten or twenty other tribes, will no doubt be given, with other facts at this important crisis of our policy as connected with the future location and preservation of the Indians west, as well as evince the sound discretion and wisdom of the projector and lay before the country an interesting field for the philanthropic statesman.

Respectfully submitted,

LAWRENCE TALIAFERRO,
Indian Agent at St. Peter's.

Hon. T. HARTLEY CRAWFORD,
Commissioner of Indian Affairs.

No. 50.

Report of Joseph M. Street, agent for Sacs and Foxes of the Mississippi.

SAC AND FOX AGENCY,
September 14, 1839.

SIR: Herewith you will receive the several returns due to the 30th of September, 1839, required by law, which I hope may be found correctly made out.

It will be perceived that the business devolving upon the Sac and Fox agent since the treaty of 1837, and the improvements authorized by that treaty have become numerous and important.

Two sections of land and four mills have been added to their improvements since last year, and they have become easy and would be beforehand if the bane of Indian population could be kept from them, *whiskey*.

The Sacs and Foxes are in four divisions, under four principal chiefs, who each has a town. Three on the Des Moines, within ten miles of this place, Keokuck, Wapello, and Appanoose, and one on the Iowa, about one hundred miles from the agency, (Powsheek.)

The numbers of persons vary very little from that stated in my last year's report, though I am induced to think they have decreased some little, perhaps from one hundred to one hundred and fifty souls. I would now report them at four thousand three hundred and ninety-six souls, inhabiting a fertile, well-watered country, with the improvements made for the Sacs and Foxes during the present year, and which could not be got into operation in time for their benefit to be appreciated during the present year. These Indians have the most flattering prospects of doing well and living happy.

I am again constrained, by the facts daily coming to my knowledge, to lament over the depravity of the Indians, and the allurements held out to them by the white settlers. During the latter part of the summer large quantities of intoxicating liquors have been freely taken to the Indian towns on the Des Moines, within ten miles of this place, in barrels. And ten miles below this, and above the line of the Indian country, quantities are hauled in and deposited for sale, of course principally to Indians.

Before the surveyor run the line, a number of persons settled on the Indian lands, planted, fenced, and built, who now utterly refuse to remove; and in some of these houses the vilest practices take place to defraud the Indians. A man named Reason Jordan has built, two or three miles above the line, on the Indian lands, and refuses to remove until he shall please. He has violently taken a cow, given by the Indian agent to Black Hawk, (since his death;) purchased a horse, without a permit, of an Indian (that was stolen,) and at this moment has a yoke of oxen belonging to Keokuck, the Indian chief, who is now gone out on his fall hunt, and says he will kill and eat them for a debt Keokuck owed him and did not pay.

It is in vain that authority is given me to forcibly act in case of the introduction of intoxicating liquors, or with respect to the being or residing in the Indian country, for without *force* to call to my aid I am less able than an ordinary man, within a State or Territory, to do any thing. The laws and authority of the United States are held in derision, when they know there is no power to enforce them by the military. * * *

The mills are ready for delivery over, and a certificate of their reception will be forwarded in a few days.

The mills on Soap creek are calculated to do a fine business, and are so near the settlements that the business will be thronged, as it is the only mill for 50 miles that has water to run this summer. Sawing to any amount can be done there, and much lumber is wanted in the adjoining country. Bills for a considerable amount now are in the mills. The other mill at the Indian town, though also nearly completed, is not as fortunately situated as to water. This summer, which has been uncommonly dry, it has wanted water, and I apprehend will only operate about five or six months in each year.

I was fearful of the stream at the time of the location, but it was near the towns, and greatly desired by the Indians, Appanoose particularly, who lives within 50 yards of the mill-house.

I have placed two yoke of oxen and a wagon and three log-chains at the Soap creek mills, and appointed Samuel Smith, a millwright and a good man, to be miller, and entered into an agreement with Van Caldwell, two miles from the mills, on the Des Moines river within the Indian country, to keep a ferry across the Des Moines, and pass over all

persons in the employment of the United States, free of charge, and keep a ferry for all persons coming and going to and from the mills. At the mills near the Indians' towns, I have appointed the millwright who built the mills (Jeremiah Smith) the miller. At the Soap creek mills there will be required at least two hands to cut and haul logs, and to attend the saw-mill, while the miller will be attending the grist-mill.

A bolt will also be required to make flour, as the country is putting in large crops of wheat, and I have had 100 bushels seeded on the Indian farms at their request.

At the Indian towns on the Des Moines, I have had three fields broke up and substantially fenced, and, at the desire of the Indians, have had 100 bushels of wheat sowed on the farms and well put in by the farmer and harrowed with large iron-teeth harrows drawn by three yoke of oxen. If a bolt is appended to the mill, which can easily be done, the Indians will be able the next year to make much of their bread stuff at their mills. The wagon and two yoke of oxen have been furnished, without orders, at the request of the Indians, seeing they were needed at the mills. The commissioner will direct me in relation to this, and what should be done as to a bolt, in time to prepare for the ensuing season. The miller also suggests the purchase of a pair of large-size wheels for carrying large logs.

I presume the field of 640 acres on the Iowa will be ready for delivery over in 15 or 20 days, as the contractor was here a few days past to see me about coming to receive it.

When that is completed, the Sacs and Foxes will have four fields broke and fenced on the Iowa and Des Moines, and be prepared to farm to a considerable extent.

I am, respectfully, your most obedient servant,

JOSEPH M. STREET,

U. S. Indian Agent for the Sacs and Foxes.

His Excellency ROBERT LUCAS,

Governor of Iowa, and Superintendent of Indian Affairs, Burlington, Iowa Territory.

No. 51.

Report of Richard W. Cummins, Agent at Fort Leavenworth.

FORT LEAVENWORTH AGENCY,
October, 1839.

SIR: I have the honor to submit the following report in compliance with instructions, on the subject of the condition of the Indians within the Fort Leavenworth agency, their progress in civilization, agriculture, education, &c.

Shawnees.

This tribe may fairly be considered an agricultural people; they depend almost entirely on their labor for a support; they have raised the present year bountiful crops of corn, pumpkins, Irish potatoes, cabbages,

beans, some wheat and oats; they also raise horses, cattle, hogs, chickens, and some sheep. It is impossible for me to make any thing like an accurate estimate of the corn raised by this tribe; a large majority raise and crib as the whites do; they also procure prairie grass for their horses and cattle during the winter. Many of them labor for the whites, hire to make rails, clapboards, cut and hew logs, work on the farm. &c. In this way many make money to purchase clothing and other articles they stand in need of; they also sell corn, beef, Irish potatoes, milch cows, and some few of them pork. They have no town or village; they settle in neighborhoods similar to the whites; their buildings are generally of hewn logs, small and neat; many of them have good stables for their horses, and shelters for their hogs in winter. The number of this tribe at present within this agency is 963.

Delawares.

This tribe have raised this year good crops, corn, pumpkins, potatoes, cabbages, &c., though they are far behind the Shawnees in point of agricultural pursuits. They are leaving their village and settling out in neighborhoods, and have a great many good farms; their houses are similar to those of the Shawnees. Some of the men go every year out on a trapping hunt for beaver and otter. This tribe number this year within this agency 970.

Kickapoos.

This tribe have fine crops, nothing short of the Shawnees; they raise corn, potatoes, cabbages, pumpkins, beans, &c. This tribe have only been engaged in agricultural pursuits about five years, and I have no hesitation in saying that the proficiency made by them is not to be exceeded by any people under similar circumstances. They are also raising horses, cattle and hogs; their cattle winter in the rushes; they procure hay from the prairie grass for their horses in winter. This tribe number this year within this agency 419. A part of the tribe went to Red river two years since on a hunting expedition, and have not yet returned.

Kanzas.

This tribe this year have raised more corn than is usual for them. I suppose they have raised a plenty to do them until the new crop comes in, if taken care of; they, however, are very generous in dividing with the Indians of other tribes that visit them for the purpose of begging; they will give any thing to eat as long as they have, and think it very strange that provisions are ever sold, but they never refuse to give; their dependance for meat is entirely on wild animals: there are perhaps ten or a dozen families that have been raising hogs for the two last years, and they have about a half dozen milch cows and calves; they generally plant their corn as early in the spring as the season will admit, during which the young men go out and bring in some buffalo meat; the women are employed in clearing out and laying by the crops of corn, &c.; as soon as this is done the whole tribe go into the prairie after buffalo; they

return about the time that they expect the corn to be in good roasting ear. sometimes a little later; they then cure their corn, pumpkins, &c., and cart them away by the 10 or 15th of September; a few days after, they all leave their villages; sometimes at this season some go in search of buffalo, and others hunt for deer, &c., wherever they can find them most plenty; they all return at the same time to their villages, about the middle or latter part of December, where they spend the winter in their houses, which are made chiefly of dirt; the size of the house is proportioned to the size of the family; they are round, from forty to sixty feet in circumference, and about ten feet high; the inside, a frame of poles fastened together with strings or bark; the dirt is cut out of the prairie sod, which is held together by the roots of the grass, in suitable sizes to cover the frame about twelve inches thick; through the top of this building they leave a round hole through which the smoke from the fire passes, which is always made in the middle of the castle; they leave a place for a door, to pass out and in, and have for a shelter, generally, an elk hide. This tribe has been exceedingly sickly this season; many of them died; their number at present is 1,602. The Kanzas, when in the prairie or buffalo ground, consider themselves at war with all the prairie or wild Indians that they feel able to manage; at this time they are unfriendly with the Pawnees and Ottoes, as has been the case for a great many years past, except at short intervals. The other tribes within this agency are at peace with all nations, and, I think, wish to remain so. The only hinderance now in the way of the Shawnees, Delawares and Kickapoos is ardent spirits, which they obtain from some of the white people living near the line; these whiskey traffickers, who seem to be void of all conscience, rob and murder many of the Indians; I say rob—they will get them drunk, and then take their horses, guns, or blankets off of their backs, regardless of how quick they may freeze to death; I say they murder—if not directly, indirectly; they furnish the weapon—they make them drunk, and when drunk they kill their fellow-being. Some freeze to death when drunk; several drunken Indians have been drowned in the Missouri river this season, aiming to cross when drunk. This, sir, your Indian agents cannot prevent. Your officers of the army cannot prevent it under the present laws, and it is not to be expected that those that are now, and have been engaged in this traffic, will cease; and if they were, that others, equally dishonorable and dishonest, would not take their place, for wherever you find an Indian whiskey-trader, you will find, in my opinion, a dishonest man—a man that will condescend to the meanest of acts.

I mail with this report, for the use of the Indian department, 15,000 pages of print in the Indian language, and enclose herewith, reports from the following persons connected with the schools within this agency, to wit: Rev. Johnson Lykins, Rev. Thomas Johnson, Rev. J. C. Berryman, and Elias Newby.

I am, sir, respectfully, your obedient servant,

RICHARD W. CUMMINS, *Indian Agent.*

Maj. Joshua Pilcher,
Superintendent Indian Affairs, St. Louis, Mo.

No. 52.

Report of Joseph V. Hamilton, Agent at Council Bluffs.

Fort Leavenworth, *October* 18, 1839.

Sir: I have the honor to acknowledge the receipt of your communication of the 19th ultimo, on the subject of the condition of the Indians within my agency. The short space of time that I have been in office, prevents my being able to give as full a description of their actual situation as should be done. Such information, however, as is herein given, can, I believe, be relied on.

The four different bands of Pawnees reside upon the waters of the Platte, and about one hundred and fifty miles from its junction with the Missouri river. They support themselves almost entirely by the chase, but little more corn and other things being raised in the summer than what are consumed before the cold weather sets in. No attempts have as yet been made by any missionary to undertake their civilization, nor do I think the time has yet arrived for doing so. Their method of cultivating the soil is not different from any other tribes that are equally remote from the whites, and is done in small patches and by the squaws. When the Pawnees were at Bellevue this fall to receive their annuity, they expressed a wish that some person or persons might be appointed to go with some of their chiefs to locate permanent situations for their villages, they being desirous of reaping the full and immediate benefit of those portions of treaty stipulations yet unfulfilled, and which were not to be given them until the President of the United States saw proper to do so. Agreeably to their request, Messrs. Dunbar and Allis, missionaries residing at Bellevue, volunteered to go with the Indians for the object herein expressed. These gentlemen are intimately acquainted with the Pawnee country, and are, moreover, much esteemed by the Indians: their offer to go with them caused great satisfaction. It is their intention, as stated to me, to reside among them, so soon as the Indians may be permanently located.

The Omahas reside about one hundred miles from Bellevue on the Missouri river, and their situation is not different from that of the Pawnees. Attempts have been made by Mr. Chandler Curtis, a missionary, to establish a school among them for the education of their children; but, whether the failure of the plan originated from his own incapacity to conciliate them, or whether it arose from the general apathy of all wild Indians towards civilization, I am not able to say, but fail it did; and Mr. Curtis finding that nothing was to be done for them, came down to Bellevue, and has resided there ever since. The limited annuity of these Indians expires the ensuing year, and then they will have to depend upon their own exertions altogether.

The Ottoes and Missourias reside about equi-distant from the Platte river and Bellevue, upon the edge of a level plain, skirted by timber. This has been their location for some time. Their principal support has heretofore been derived from the game on the land now given to the Pottawatomies of the prairie, and which is on the other side of the Missouri from them. Since the treaty made with these Indians by their former agent, by which they relinquished all claim upon this their hunting ground in consideration of being fed by the United States for a certain term of years, these Indians have not gone over the river, except in small

parties. Even to this the Pottawatomies expressed a strong dislike, and they have not recently gone over at all. The rejection of this treaty by the Senate has caused a great dissatisfaction among the Ottoes, they having, as they say, virtually given up their hunting ground upon the faith of the treaty, and now the Government has failed to comply with its obligations. Without entering upon the justness of their complaints upon this subject, I would merely add, that it is very hard to make an Indian understand why, when a treaty has been formally made with them by authorized persons and rejected by higher authorities, the treaty stipulations, as they deem them, should not be fulfilled.

The situation of these Indians appears to me to be truly a deplorable one, and I would here most respectfully suggest that something should be done for them ere long. The dissatisfaction alluded to above, and their starving condition have no doubt induced them to commit the many depredations upon the whites residing among them, and which Col. Kearney went to see and chastise them for recently.

The attempts heretofore made among these Indians towards civilization have not, in my opinion, had any beneficial effects so far. I do not wish herein to cast any reflection upon the conduct of the missionaries among them. Mr. Merrill and his lady have, in my opinion, not only done all that could be expected from persons in their situation. but in fact much more. They are truly pious people, and appear to have the interest of the Indians sincerely at heart. It is to be regretted that their zealous endeavors have produced no better result. The disposition of these Indians towards the whites does not appear to me to be friendly; they are morose and sullen, and experience has shown that they can be troublesome neighbors if they choose. It is to be hoped that, from the recent warning given to them by Colonel Kearney and myself, they will conduct themselves better for the future.

In conclusion I will remark, that the relation that the tribes mentioned herein bear towards each other is an amicable one; nor do I remember to have heard that they have recently committed any serious depredations upon each other.

Enclosed you will find the report called for by the regulations from the teacher of the Ottoes, Mr. Merrill.

I have the honor to be, with great respect, your obedient servant,

JOS. V. HAMILTON, *Indian Agent.*

Major Joshua Pilcher,
Sup. Indian Affairs, St. Louis, Missouri.

No. 53.

Report of A. L. Davis, Sub-agent at the Osage River.

Osage River Sub-agency,
October 15, 1839.

Sir: The last instructions from the department of Indian Affairs came to hand so late, that, owing to that circumstance and a severe attack of bilious fever, it has been impossible to make this report as early as the time required by the department. I have improved the

earliest opportunity of preparing the report which is now respectfully submitted, and I hope it may be in season.

This sub-agency embraces the Weas, the number of whom is about two hundred; the Piankeshaws, in number about one hundred; the Kaskaskias and Peorias, whose number is about two hundred; the Ottowas, numbering three hundred and fifty; and the Pottawatomies, in number about fifteen hundred.

The site selected by authority of the Department of Indian Affairs for the sub-agency is within the lands of the Pottawatomies. But no orders having been received for the erection of buildings, the sub-agency has remained on the lands of the Weas. The post-office for this sub-agency is Westport, Jackson county, Missouri.

* * * * * * *

The Weas and Piankeshaws are improving their condition; they own some cattle and hogs, work oxen, own farming utensils, &c., have fields enclosed with rail fences, and most of them live in comfortable log cabins; some of them are occasional hunters, but their chief dependance for subsistence is on their domestic supplies.

The Kaskaskias, and Peorias, and Ottowas are in advance of the Weas in point of improvement and comfort. The Pottawatomies are in the rear. Drunkenness prevails among all the tribes to an alarming extent, but most so among the Pottawatomies. Notwithstanding all the disadvantages of intemperance, all the tribes are rapidly advancing in the habits and comforts of civilization, except the Pottawatomies; and even the latter, considering the lateness of their settlements in their present places, and the reluctance with which many of them removed from the State of Indiana, furnish just grounds to hope for unlimited growth in improvement. Already their condition is substantially superior to what it ever was before.

The tribes of which I have charge occupy a country which, for situation and fertility, is second to none as a grain-growing and grazing country. Could the choice of man easily select a more desirable spot on the continent for residence? Coal, the value of which is enhanced by the extent of prairie lands, is found, and no doubt it exists in endless abundance.

* * * * * * *

The five tribes within my sub-agency sustain a friendly relation to all other tribes of their acquaintance, excepting depredations on property. Complaints, which I doubt not were well founded, have been made to me, that members of neighboring tribes had stolen their horses. I lamented the evil, but had not power to redress the wrong.

* * * * * * *

In reference to the future prospects of the people in my charge I would respectfully say, that since Indians do not differ from white men either physically or mentally, their prospects, with equal opportunities, could not be inferior to ours. Our own daily wants teach us theirs. They are without *law* and other institutions which we know are essential to our own prosperity. The scheme, which has been under consideration in Congress for several years past, for organizing a civil government for the benefit of the tribes appears evidently to lay the foundation for all that is necessary for the tribes in this country.

Smitheries, mills, farming utensils, and the fencing and ploughing of land are matters which render substantial benefit to the tribes in their

improving state. But their improvement in civilization must necessarily be slow, and their miseries considerable, as would be the case with any other people, so long as they remain destitute of *law*. Should the tribes be brought under the influence of *law*, so that the injured could obtain a redress of wrongs received from other tribes, as in the case mentioned above, or wrongs suffered from the hands of individuals of their own tribe, and by which the reward of industry would be secured, the career of improvement would be certain and rapid. Schools would flourish, moral instructions would be regularly attended to, the virtuous would be honored, and men of talents promoted. In a word, could the Indians be released from that policy which properly belongs to *savage life*, and could they be furnished with such instructions as we enjoy the benefit of, all of which they would cheerfully accept, their improvement would be similar to that of new settlements of citizens of the United States.

The Pottawatomies came to this country under the expectation that their lands would be laid off to them severally in suitable farm lots. They still desire it, and it is a measure which would no doubt tend greatly to the promotion of civilization among them.

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I am, sir, very respectfully, your most obedient servant,

ANTHONY L. DAVIS,
Indian Sub-agent.

Major JOSHUA PILCHER,
Sup. Ind. Affairs, St. Louis, Mo.

No. 54.

Extract from the report of Samuel Milroy, Sub-agent, Indiana.

DELPHI, *Indiana, Sept.* 19, 1839.

In consequence of my sickness various matters were omitted, that otherwise would have been attended to. One of these was the obtaining a list of names of Indians to go on an exploring expedition to the country west of the Mississippi.

I have the strongest assurances, however, of their willingness to send a party at a proper season. I have to suggest to the department, the propriety of deferring this expedition until next spring, as that season is greatly the most favorable time to see a prairie country, as in the fall these are burnt over, and present a most dreary aspect; the spring is also the most healthy.

Notwithstanding the embarrassments alluded to, I am pleased to be able to say to the department, that I have succeeded in conciliating those Indians, and establishing a confidence between them and their great father, (the President,) to use a phrase of their own. For this, I owe much to the department for the promptitude with which funds were remitted to meet the several payments. It was a matter of surprise to them to see large sums of money from opposite directions meeting on the payment ground, and at the same time find the iron, steel, tobacco and salt ready for delivery to them, all of the best quality. I state these

details as not uninteresting to the department, being calculated to facilitate the future objects of the Government towards these Indians.

I have heretofore stated my belief that a treaty of cession with these people was practicable. This belief I still entertain. The plan of such a treaty is a matter of deep interest as well to the Government as to the Indians.

It was my intention to have made a report detailing at length the situation of those Indians—my health will not permit it at present. I must content myself with stating, that the large amount of their annuities compared with their numbers is the leading cause of their rapid decline. One of their principal chiefs communicated the fact to me through the interpreter, Capt. Andre, that in his knowledge, in eighteen years 450 men and 36 women had perished by the knife. Perhaps in the whole history of man, savage and civilized, there is not an instance of a nation being exterminated by assassination, or as nearly so, as is the case of the Miamies—*and this national suicidal propensity* is wholly occasioned by intemperance, as there is perhaps no instance of killing among them except when intoxicated.

I made an effort to obtain their number, but could not succeed. It is said that they do not exceed 700 in number, though once among the most powerful and warlike tribes of the northwest. Most of them cultivate corn, some raising enough to do them. Under different circumstances they would, I doubt not, soon become an agricultural people.

They have no schools for the education of their youth, but much desire to have them among them. They utterly refuse to send their children to the Choctaw academy, or to any school that would separate their children from them during the time of obtaining an education, believing such separation to be injurious to them.

No. 55.

Report of Purdy McElvain, Sub-agent at Upper Sandusky, Ohio.

WYANDOT SUB-AGENCY,
UPPER SANDUSKY, OHIO, *October* 22, 1839.

SIR: * * * * * The condition of the Wyandots, at present, is about as it was at the close of last year, except that the bills of mortality in the nation, through the past year, show quite a decrease in point of numbers, and yet it cannot be said to have been sickly in this part of the country, neither have they suffered from actual want; they are generally comfortably situated, (with a very few exceptions,) and have enough to live upon.

A general fatality, that has long been seen and experienced, seems to attend them, as well as the nations now extinct, of all tribes contiguous to, or surrounded by a white population—showing at once conclusively the imperious necessity of their removal from this State to the west.

I think, however, the prospect at this time of their falling into the benevolent policy of Government is much more flattering than it has been

for some years past, and I hope the Government will not relax in pressing this policy, until the whole plan is perfected and consummated.

I am, sir, very respectfully, your most obedient servant,

PURDY McELVAIN,
Indian Sub-agent.

Hon. T. HARTLEY CRAWFORD,
Commissioner of Indian Affairs, Washington.

No. 56.

Report of D. Lowry, Sub agent at Prairie Du Chien.

REPORT OF WINNEBAGO SCHOOL AND FARM.

The number of pupils now belonging to the Winnebago school is seventy-nine, which is supposed to be as many as the means provided under the treaty stipulations will at present sustain. It is hoped, however, that a more advanced state of improvement among the Indians will induce them to draw on their own resources for purposes of education, when this number may be greatly increased. At any rate, I think the period not far distant when the expense of clothing the children may be principally defrayed by the Indians themselves, from their goods received from Government. The labor of the boys on the farm attached to the school, as their disposition to work increases, will add something to the resources of the institution, and thereby diminish the expense of board.

Forty-three of these children are males, and thirty-six females. Fifteen board and lodge at the school, the residue remain at their wigwams, except in school hours, and at the close of each day draw rations of provisions. Clothing is also issued when necessity requires. The pupils are full Indians, except three half-breeds.

Improvement of the children.

The progress of the children, in charge of Miss Brownson, will be seen by reference to the following statements of this lady, furnished at my request:

"At the present time four of my scholars are able to read fluently the New Testament, or any other reading book we have in our school—spell with ease—write a fair legible hand—are studying mental and practical arithmetic, and geography. Two of my pupils have also a daily exercise in composition. Of the remainder, seven are able to read without difficulty easy lessons, spell words of two and three syllables, and write a fair round hand; eight are beginning to read and spell words of two syllables; four are reading monosyllables of three letters; four are in their abs, and one the alphabet."

The extract below of a letter from Mr. Mills will show the improvement of the children under the care of himself and lady.

"We commenced teaching early in May last, with near fifty pupils—twenty-six boys and twenty girls. Four of the boys, who had been at the establishment for some time previously, could read easy lessons in the En-

glish tongue intelligibly; seven other boys and three girls could spell in easy monosyllables. The remainder were fresh from the wigwam, having perhaps never before seen the inside of a school room. The average attendance has not been so great as forty-six. Some of the children recently left the school to accompany their parents on a fishing excursion, but have now returned.

"With respect to the advancement of our pupils, it has not been so great as we could wish, but it should satisfy reasonable expectations. The Indian is not only indolent in body, but also in mind; of course, no persevering mental effort is to be expected. The children have not been accustomed to the restraints of the school-room—speak a foreign language; indeed, no one can anticipate the difficulties which lie in the way of teaching such pupils. Notwithstanding, I can say with truth, that the boys I first named have learned to read more fluently than I could have supposed, and can write as well as white children at their age of advancement. They seem to be pleased with the science of numbers, and can write them and enumerate as far as 1,000. It requires labor and patience, however, to teach an Indian child even these simple principles of arithmetic, owing, I suppose, to their limited conception of numbers.

"The new scholars learned their alphabet as readily as white children could, but to combine letters in syllables is hard work for an Indian. Their want of acquaintance with English sounds is doubtless the principal cause of this difficulty. Even after they can read simple sentences, it is still dry business for them, not understanding what they read. Such of these children, however, as have been regular in their attendance, can now spell well in three letters. What is here said of the boys applies to the girls, with this addition, that many of them have learned the use of the needle in making their own and the boys' clothes."

It will be understood, that last spring the school was enlarged in view of $2,800, provided in the treaty of 1837 for purposes of education, when a considerable portion of the children, then added, were placed under the care of Mr. and Mrs. Mills. We had no building sufficiently large to contain the whole of the children together, nor was it believed that such a number of wild, undisciplined Indians could be so easily controlled in the same apartment, as if separated. Subsequent experience has fully confirmed this belief, as well as shown that the spirit of emulation growing out of the division of the school has exerted a most salutary influence upon the progress of the pupils.

Mr. Mills has referred to the girls' sewing, as a part of their school exercises. This employment not only reduces the expense of clothing the children, as well as prepares the girls for usefulness in after life, but contributes greatly to the convenience of the teachers in governing the school. When the children grow weary of their studies, the monotony of the school-room is at once removed by placing a piece of work in their hands, which they cordially receive, and, indeed, are displeased when they cannot be furnished. Upward of two hundred garments have been made by the girls, during the present summer.

While the females are thus employed in the school, the boys are called out by classes in turn for exercise on the farm, where their employment in manual labor is varied as necessity requires. They are much delighted with an hour's recreation in this way, and return with cheerfulness, at the close of the term of service, to the recitation-room, while a second class is required to take the place of the first in the field.

Indian Farm.

Fifty Indian families have planted this year, in corn and vegetables, from two to three acres each, manifesting more industry than usual in cultivating the soil, and are now reaping a rich reward of their labors. This shows an increase of twelve families since last year, who have turned their attention to agriculture.

These Indians have principally given up the chase, and are now depending on their own industry, the provisions drawn from Government, and the rations obtained by their children at school for a subsistence; and there seems to be nothing wanting to render this change of habit permanent, but a settled home. Moreover, I have no hesitation in saying, that the experiment thus commenced, if carefully fostered by Government, and skilfully managed by those appointed to its supervision, will speedily send an ameliorating influence throughout the *whole tribe*.

Nothing but the fact that we are unsettled, has prevented me from encouraging the families residing at the farm to live in log-houses, as I have had frequent applications to build them. This change in their mode of living would go far towards checking their roving habits, especially when the means of subsistence could be commanded at home, as they would then cease to be the owners of a portable shelter, which now enables them to make one place of residence almost as comfortable as another.

Manner in which the laborers have been employed.

The first business of the hands in the spring is to break and prepare ground for the Indians to plant. Their attention is then directed to pitching a crop to cultivate themselves. This, however, is small, as the season for planting is generally far elapsed before the Indians can be accommodated; and it is deemed important to arrange for them *first*, that they may have every encouragement to till the soil that can possibly be given.

So soon as the season for cultivating the crop closes, (which is generally about the middle of July,) the hands repair to the prairie for the purpose of making hay for the teams and stock on the farm. This job consumes the remainder of the summer; and when completed, the next business is to secure an ample supply of seed-corn for the ensuing year, which is done by taking the ears from the stock previous to the falling of frost, and drying them thoroughly in the sun. There is then hardly time to house the crops before the setting in of winter. During this season the hands are engaged in hauling hay a distance of from five to ten miles from the establishment, procuring fire-wood, and in feeding and taking care of the stock. A portion of the winter, too, is employed in making and hauling rails for the purpose of extending the farm in the spring, in anticipation of an increase of Indians wishing to plant. Considerable hauling is also done for the Indians in the course of the year, particularly in the spring when building their bark houses, and in the fall when storing away their crops. During the present year, two log buildings have also been put up by the hands to accommodate the school as recitation-rooms.

Number of farms cultivated.

There is one farm attached to the school of about one hundred and thirty acres, and two other fields immediately in the vicinity, of ten acres

each. Forty acres have also been broken, fifteen miles west of this, where ten Indian families are now cultivating. These different locations were made to accommodate the wishes of the Indians, who, owing to the fact that they are without government, constantly in the habit of stealing from each other, and disposed to quarrel, fight, and even kill when intoxicated, are unwilling to live in large bodies together. The chiefs, too, are jealous of one another, and wish to keep their respective bands to themselves.

Amount of provisions raised.

Two thousand bushels of potatoes, four hundred bushels of corn, besides a quantity of turnips and other vegetables were made last year, on the Indian farm, by the labor of the men employed.

Disposition of the products of the farm.

The provisions raised by the Indians are, of course, under their own control. These, at their request, were stored away last year in a house built for the purpose, and the portion of each family kept separate from the others. I retained in my possession the key of the door, and the different owners gained access by my permission, and they had to be carefully watched to prevent their stealing.

The produce raised by the labor of the white men on the farm was in part used for their support, and that of the children boarding at the school. The balance was distributed among the Indians, as necessity dictated. The largest portion, however, was reserved till spring, when their wants are always more pressing than at any other season of the year. I have invariably found it necessary, too, to furnish them with seed corn and potatoes to plant in the spring, as but few are sufficiently provident to lay up for themselves.

General suggestions.

The propriety of sending, with the permission of parents, a few of the most promising children belonging to the school, to an institution among the whites, has been with me a subject of consideration for some time. By thus removing them beyond the reach of savage example, where they could be under the influence of moral instruction, and the discipline of school brought to act upon them without the resistance of relations, their progress in learning would receive facilities which cannot be expected while surrounded with wild, uncultivated Indians. In carrying out the plan proposed, I would encourage matrimonial connexions at a proper age, among the children sent to reside with the whites, and then their return to the vicinity of the school in the nation, where their example as farmers, &c., would be of service to their people. But little, if any, additional expense would attend the experiment I propose, as the rations issued to the children at the Indian school would cover the cost of board among the whites, in the interior of the country. In testing this experiment, it would be improper, perhaps, to send off many children at once, particularly at first, but increase the number as advantages and other circumstances might dictate.

I have already conversed with parents and children on this subject, and find them favorably disposed—indeed, two or three boys are now anxious to be sent to school among the whites.

The letter accompanying this report is from a disinterested source, and enclosed for the satisfaction of the department.

PRAIRIE DU CHIEN, *Sept.* 10, 1839.

DEAR SIR: As you kindly invited us to visit your mission on Yellow river, we hope you will allow us the additional favor of expressing our gratification with what we have there witnessed. In our examination of the school, we were much pleased at the rapid and very encouraging progress made, especially by several of your first scholars; their knowledge of astronomy, geography and arithmetic surprised us; the beauty of their penmanship is remarkable. Their reading and spelling did them much credit, considering the difficulty they have to contend with, as strangers to our language, which is so different in pronunciation, &c., from their own. The pleasing decorum of their conduct, also, should give every friend of the *red man* high hopes, that the intellectual and moral culture they are now receiving will raise them high in the scale of human happiness, as well as usefulness. We would likewise express our satisfaction, at the productive appearance of your farm; and the comfortable situation of the inmates of the numerous wigwams, by which it was surrounded, was not the least pleasing portion of the lively scene. Much may be expected from the example which is thus set before the rest of the nation; especially if you get them west of the Mississippi, from the baneful influence by which they are now surrounded, both morally and physically, in the vicinity of our frontier villages: until then, our opinion is, that no effort of yours, or of any other philanthropist, can avail much *with the adult Indians.*

Should the first location of the Winnebagoes be on the neutral ground, west of the Mississippi, we would respectfully suggest, (from the long experience of some of us with Indian relations,) that to prevent their frequent and clandestine visits to this place to obtain liquor, it may be necessary for you, as agent, to place yourself in some favorable position between them and the Mississippi; this may enable you to prevent much mischief in the way of intercourse, either by whites going *in*, or Indians coming *out*.

Should you be aided by the Government in making *proper selections* of teachers, farmers, &c., much good may be anticipated from your benevolent efforts to meliorate the condition of these wretched beings. Our country owes them a great debt, and owes to itself and to humanity its full liquidation; and we are happy to witness in your institution favorable indications to this end.

We are, with much esteem, dear sir, yours truly,

ALFRED W. ELWES,
Surgeon, U. S. A.
ROBERT STUART,
of Detroit, Michigan.
JOHN H. BRODHEAD,
of Pennsylvania.
JOHN McFARLANE,
of Pennsylvania.
JOHN H. JONES,
of Michigan City, Indiana.
STEPHEN MACK, *of Illinois.*
JOHN V. INGERSOLL,
H. L. DOUSMAN,
JOHN H. KINZIE,
of Chicago, Illinois.

Rev. D. LOWRY.

No. 57.

Report of Henry R. Schoolcraft, agent at Mackinac, and acting superintendent, Michigan.

The application of the funds assigned by these tribes for the purposes of education and missions could, it was thought, be best made through the intervention of organized boards, devoted to similar objects. And a division of the sum annually applicable, for twenty years, was made among the five principal religious denominations of the country, including the Roman Catholic church. The result of their efforts with these tribes during the fiscal year is shown by abstract C, and by copies of the several reports therein forwarded, numbered 1, 2, 3, 4, 5.

Reports made under the authority of F. V. Baden, vicar general, and representative of the bishop of Detroit, indicate that there are four teachers employed among these tribes by the Catholic church, having 230 scholars under their instruction. One hundred and eleven of these pupils are located at L'Arbre Croche, and at the village of the Cross, all under the care of the Rev. P. Simon Sandaerl. Forty-six are under the tuition of Mrs. Mary Ann Fisher, at Michillimackinac; the same number of Maria Scott, at Point St. Ignace; and thirty-two of the Rev. Francis Pierz, at Sault Ste. Marie. Mr. Pierz remarks that the school at St, Mary's was undertaken by him in 1836, with 40 scholars, and kept up in 1837, in the summer of which the children were nearly all taken off by their parents to assist in fishing, which is the reason no report was made. On the 20th of June last the school was reorganized. Owing to the fishing season the attendance is irregular. They are taught reading and writing, both in the French and English languages. Mr. Sandaerl states in his report, that his pupils at L'Arbre Croche "understand well their own Indian books, and are able to write down their sentiments on paper." The chief difficulty they encounter is from the want of a settled orthography. They are also instructed in the science of numbers, and in various economical arts. His pupils at the village of the Cross are also instructed in their own language, and can read their own books, and the men are nowise behind those of L'Arbre Croche, and live well and comfortably.

Bishop McCroskey, of the Episcopal church, reports under the date of July 30, that the fund committed to him has been, and is in process of being applied to the objects, with good prospects of success. In several councils held by him with the Ottowas of Grand river, a part of that tribe consented to concentrate for the purpose of moral and religious instruction under his supervision. He has subsequently appointed the Rev. M. Selkirg, of Niles, to take the immediate superintendence of the school, and make the necessary purchase of land, and construct a building. Under this authority 160 acres of land have been purchased, in a favorable situation; and the necessary contracts were made, and it was expected the school would be in operation in a very short time. Every confidence is felt that the trust committed to him will be faithfully executed.

The Presbyterian Board of Foreign Missions at New York has located a mission and school among the Chippewas at Grand Traverse bay, on the east shore of Lake Michigan. The Rev. Peter Dougherty, their agent, reports favorably of the location, and the disposition the Indians manifest

to send their children to school, and engage themselves in the active labors of erecting houses and planting fields.

The soil and climate appear to be well adapted to the growth of corn, which they have been in the habit of raising.

This station was occupied by Mr. Dougherty and Mr. Fleming early in the spring of 1839; and a school was opened on the 20th of June in one of the Indian houses. Mr. Dougherty reports that the pupils have evinced great eagerness and aptness to learn; some of the boys have learned the alphabet correctly, in a few hours. Both men and children have pressed around the door, as soon as the teacher was up in the morning, seeking instruction. The school was in regular operation about one month, with an average attendance of 10 to 12 children, besides adults. Their progress has been very satisfactory; some having learned to spell, in this time, quite readily. The room used for a school being too small, the chiefs and their young men helped to cut and draw in logs to build a school-house, and have, in various ways, evinced their disposition to second the effort for their improvement.

The Baptist Board of Missions occupy two stations among these tribes; one at Ottowa colony, near Gull Prairie, Barry county; and the other at Sault Ste. Marie, Michigan. The school at Ottowa colony, under the care of the Rev. L. Slater, numbers 48 pupils, of all ages and both sexes, from 4 to 26. The register of this school, of which a copy is herewith forwarded, is quite complete, indicating all the facts essential to the formation of correct inferences in relation to it.

This school is maintained without interruption from the seasons, as the Indian population in the vicinity is fixed, and relies on agriculture for its chief subsistence. And it is decidedly the best managed and most prosperous Indian school within the limits of this superintendency. The school at St. Mary's, under the charge of the Rev. A. Bingham, has been continued through the year without any striking changes. Ten boarding scholars have been supported and taught gratuitously, of which number four are of pure Indian blood.

A school is also kept at this station for the white and mixed children of the settlement, for whose tuition a moderate price is charged. The total number of pupils, whose names are recorded, during the whole or part of the year, is 44.

The Methodist mission, under the care of the Michigan conference, has maintained a teacher at Little Rapids, on the St. Mary's river, two miles below Fort Brady. Mr. Brockway reports the number of pupils at 24, some of whom have been irregular in their attendance. Five are sustained as boarders. The poverty of the natives, and the want of the means of living the whole year at one place, are referred to as a reason for enlarging the number of boarding scholars hereafter. They are taught the elementary branches. It is in contemplation by this society to remove this station to Pussissowee bay, at the foot of Lake Superior, which is deemed a more favorable location for a permanent school.

The sum of $750, heretofore transmitted to the American Board of Commissioners for Foreign Missions at Boston for the purpose of education among these tribes, has, within the year, been turned over by the treasurer of that board to the Western Michigan society to benefit the Indians, located at Allegan, within this State. A letter from John R. Kellogg, Esq., the secretary of this society, acknowledges the receipt of this sum, and gives

assurance that it will be applied for the benefit of the Ottowas who have recently, under the patronage of that society, purchased lands on North Black river of Lake Michigan.

These details point out the means which have been taken to execute a trust assumed by the United States in the treaty of 28th March, 1836, for applying $8,000 per annum for a term of 20 years, for the education and moral culture of the Chippewas and Ottowas of the upper Lakes. Several of the schools and stations have been personally visited and examined by me during the year, and all are known to me, by their geographical position, population, and teachers or principals. And I have no hesitation in expressing the opinion that the funds have been, throughout, faithfully applied.

HENRY R. SCHOOLCRAFT.

No. 58.

Report of Lawrence Taliaferro, agent at St. Peter's.

NORTHWESTERN AGENCY, ST. PETER'S,
Iowa Territory, September 30, 1839.

SIR: Most of the schools at the several mission stations within this agency have during the past year been suspended temporarily from various causes. Funds have been wanting, and in the absence of such means nothing very satisfactory can be accomplished. Again the Indians generally are averse to placing their children in charge of the missions, or even of permitting them to attend as day scholars. The enclosed report of the school at Lac-qui-parle "with the general operations of the American Board" in that remote quarter under the Rev. Dr. T. S. Williamson, the able superintendent, and his assistant, the Rev. Mr. Riggs, is flattering and satisfactory. Yet they want *funds*, and it affords me pleasure to ask the favorable consideration of the department upon the propriety of placing $1,000 of the now ample civilization fund at their disposal, for these means could not be placed in safer or better hands for the views of the office. Certificates have issued in favor of Messrs. Stevens, Gavin, and Denton, in the *sum* of $500 each, for their respective stations, under the authority of the department, which relief, when in hand, will be but justice in aid of liquidating the debts of these posts.

I have paid some attention to the propriety of general schools through the Indian country, and of the probable success of such institutions as at present organized and attempted to be carried out. I have also paid some attention to Indian affairs, and have some knowledge of what may be accomplished with Indians after the short experience of *twenty-one* years. Therefore, under the treaty of Washington of the 29th of September, 1837, I still see no reason to change my views as to the founding of an orphan asylum, (as brought forward in my last report to the office of Indian Affairs,) to be located near the seat of this agency, for the education, and protection of an unusually large number of interesting children of both sexes, and ages, now with the several bands of Medawakanton Sioux, which seem destitute, friendless, and degraded, and, indeed, daily becoming more deplorable in their habits and morals as *time* advances them to maturity.

The Medawakanton Sioux set apart, in the treaty before noted, the sum of $5,000 per annum *unlimited*, for schools and missions and for other beneficial objects under the direction of the President. This admitted, the Indians are more strenuously in favor of one general establishment upon which to expend their funds, (or of appropriating their means directly to their own wants,) than to throw this gratuity as they say to the "four winds," and from which they can see no corresponding benefits resulting to the nation. I have at my disposal and at hand all the material, embracing talent and peculiar fitness and known moral worth, to conduct the proposed academy upon a scale of economy and successful government that could be desired. My selections of competent persons would be confined to the several mission families now on duty within this agency. Many of which, both male and female, are endowed with no ordinary share of intellectual accomplishments.

Now all we seek is the sanction of the department to show to the civilized world a true plan of enlightening the benighted savage, and send him forth among his fellow-men a rational being—well educated, with the means of usefulness, and capable of imparting this knowledge as a Christian teacher, a mechanic, or a husbandman; as it is of course intended, by no means, to neglect the manual-labor system, while imparting the finer arts to the males and females. This renewed proposal may fail—but a decision adverse to a plan so well understood here would be in opposition to the will of the nation, and sensibly felt and regretted by every well-regulated mind in this country, for so important has this become with intelligent Christians, and others in this territory, that I feel assured the office will find my new plan of education, and in separating the children from their connexions and friends for this purpose, ably and fully sustained in the course of a few months.

I lay no claim to the idea of perfection, however, in the plan proposed for your most earnest consideration. The improvement of the condition of mankind, when in a state of mental disease, is a subject worthy of attention. On the catalogue of philanthropists of the day are to be found "both great and small," and various are the opinions in regard to each other's motives and means of doing good; minds, and opinions, conflicting as they are at every point on which humanity is suspended, must necessarily lead to results as opposite as light is from darkness.

The amelioration of the condition of the Indian tribes is not exempt from this kaleidescopic malady, though there may be certain laws and deductions in the pathology and treatment of the various subjects that are irresistible. Time and experience, however, will make known the result of all benevolent undertakings, and he whose opinions and means of benefiting are verified by this unerring test of all things, will be doubly rewarded in contending, *though* the *contest* may be *long* and *loud*.

With high respect, sir, your most obedient servant,

LAW. TALIAFERRO.

Hon. T. Hartley Crawford,
Commissioner of Indian Affairs.

A report of the Lac-qui-parle Mission Station, for the year ending July, 1839.

LAC-QUI-PARLE, *July* 11, 1839.

Thomas S. Williamson, M. D., and Stephen R. Riggs, A. M., missionaries; Alexander Huggins, farmer and teacher; Mrs. Riggs and Miss Huggins, female teachers; Mrs. Williamson and Mrs. Huggins; Newton W. Kirker, hired laborer.

Gideon H. Pond, and Mrs. Pond, teachers here the past winter, have removed to Lake Harriet.

Names of the scholars in attendance during the past year, were as follows: [Here follows a list of the names of 44 females and 46 males.]

SUMMARY.

Number of teachers during the past winter			4
Whole number of scholars			90
Average attendance during the winter term			30
Average attendance during the spring term			17½
Readers of the first class who attended:	male 14,	female 9	
Readers of the second class who attended:	male 12,	female 8	
	26	17	
Whole number of readers			43

Besides those who attended during the past year, there are, who have learned to read since the commencement of the mission, of the first class, males 4, females 2; second class, males 2; altogether 8; making the whole number who have learned to read their own language at this station 51; half-breeds, 10; readers of English, 8; those who have attended to arithmetic, 12.

Their progress has been as good as could be expected from persons with their habits and in their circumstances. No school since the last of May.

The mission premises consist of one two story log-house and a double log cabin, five acres of ground under cultivation, and a woods pasture enclosed, containing perhaps 10 acres; cattle belonging to the mission, 19; and five head of horses, three sheep, and four hogs.

The land cultivated by the Indians is probably about *fifty-five* acres in corn; they raise scarcely any thing else. Some have planted pumpkins, peas, beans, and this season they wish to sow turnips. This last spring we ploughed for them fourteen days, chiefly new ground.

They have now only two or three horses, and perhaps half a dozen cattle. The whole number of Indians here is about four hundred. They have been increasing from year to year their fields, and we think they will probably still more and more feel the necessity of trusting more to agriculture, and less to the chase for their livelihood.

Yours, truly,
S. R. RIGGS,
THOS. WILLIAMSON.

TO THE GOVERNMENT AGENCY.

No. 59.

Report of A. L. Davis, Sub-agent at the Osage river.

The Methodists have a school among the Kaskaskias and Peorias, connected with which is Rev. N. M. Talbott, teacher, and Mrs. Talbott. Its condition and prospects have not been reported to me.

The Baptists have a school among the Ottowas; Rev. Jotham Meeker, teacher, and Mrs. Meeker, are missionaries at this station, assisted by David Green, an Ottowa. The condition and prospect of this school also have not been reported to me. The failure, in both cases, is attributable to sickness, which this year has been more distressing to whites than was ever before known in this country, though less severe among the Indians. Both of the above-mentioned institutions are well conducted, though on a limited scale, and are eminently useful in proportion to their means.

The Baptists have a mission among the Pottawatomies, embracing a school taught by Mr. and Mrs. Simerwell, a report of which accompanies this, marked A. Several considerations have induced the denomination to feel a deep interest in the success of this institution, and they have accordingly entered upon measures for enlargement and lasting utility. In a central situation, upon a commodious site, they are erecting good wooden buildings, which will be ready for occupancy in a few weeks.

Among the Pottawatomies, also, the Methodists have a missionary station, under the management of Rev. Mr. Peery and Mrs. Peery, but no school. The Catholics, also, have a missionary, the Rev. Mr. Allen, among the Pottawatomies, but no school.

Duplicates of three books in Pottawatomie, and one in Ottowa, printed by the Baptists and for their use, at their printing establishment among the Shawnees, one book in Wea, printed at the same office, for the use of the Presbyterians, and one in Wea, for the use of the same, printed at the Presbyterian press among the Cherokees, accompany this.

The two in Wea are not in use; those in Ottowa and Pottawatomie have been introduced among those tribes respectively, and the success attending these incipient operations has been encouraging.

All, excepting the latter book in Wea, are written upon the *new system*, the success of which system, so far as the experiment has been made, has exceeded previous anticipations. This system, on which adults as well as youths can learn to read in their own language in a few days, or a few weeks at most, is likely to prove a prominent auxiliary in the work of Indian reform generally.

* * * * * * * * *

If pecuniary assistance could be liberally afforded the schools within my sub-agency, their influence would be increased greatly to the advantage of the Indians; and if an appropriation could be made for employing native teachers to teach in the respective Indian languages upon the new system, it would no doubt be followed by happy effects.

A.

POTTAWATOMIE BAPTIST MISSION STATION,
October 15, 1839.

SIR: In compliance with notice received from you, I beg leave to submit the following report on the subject of my labors among the Pottawa-

tomies as teacher, under the patronage of the board of managers of the Baptist General Convention for the United States.

1. A school of from nine to fifteen has been taught the year past, viz: four females and eleven males. Their studies have been conducted in both English and Pottawatomie. On account of unsuitable accommodations in the way of house-room, the scholars have boarded and lodged at their homes; but it is designed, so soon as the mission buildings (now in process of erection) are completed, to board and lodge the pupils, when they will be taught different branches of labor appropriate to their sexes, and when their numbers will be increased as the means of support shall justify.

2. Books on the new system. I have prepared and had printed in the Pottawatomie language, for their use, three different books. The first, of eight pages, embracing the elementary sounds of the language, and containing some hymns; the second, of thirty-two pages reading matter, the subject chiefly religious; the third, a book of eighty-four pages, containing a summary of Bible history, Christian and moral precepts, with hymns. These prints have been well received, but, on account of the unsettled condition of the Indians, have been but partially used; still some adults have learned to read, while many have made a beginning, among whom are the principal chief and other chiefs of the nation. The experiment of teaching the adults to read and write in their own language has been pushed so far as to warrant the hope that, when they shall have become quietly settled, their improvement in the knowledge of letters will be speedy and rapid.

Owing to my protracted and severe indisposition, I am unable at present to furnish a statement showing the number of native readers.

Mrs. Simerwell and myself are the only missionaries here at present; we hope soon to be reinforced by others.

My time is devoted to the school taught in English and Indian, a portion of each week; the balance to visiting and teaching the natives on the new system at their homes.

In the course of a few weeks it is expected that the mission family will remove to the new establishment now erecting near this place, when labors more systematic, and, it is hoped, more efficient will immediately be entered upon. We hope to sustain a school at the new station of from twenty to thirty scholars.

During the year religious instruction has been regularly imparted to the natives, which, in some instances, has been attended with pleasing success.

Copies of the above-mentioned books are herewith furnished.

Very respectfully, your obedient servant,

ROBT. SIMERWELL, *Teacher.*

Major A. L. Davis, *U. S. Indian Sub-agent.*

No. 60.

Report of D. P. Bushnell, Sub-agent at Lapointe.

Schools.

I have little information in relation to the operations of these establishments, as my duties have prevented me from visiting any of them, with the exception of the one at this place. An account of its operations will be

found in the report of the Rev. S. Hall, herewith transmitted, marked A. The school at Fond Du Lac has been discontinued. There is one at Snake river, but I am in possession of no information as regards its operations. The Rev. Francis Pierz has located a school at Grand Portage since my last report. A detailed report of his operations is herewith transmitted, marked B.

A.

La Pointe, Lake Superior,
September 4. 1839.

Sir: I submit to you the following report, for the past year, of the mission station of the American board of commissioners for foreign missions at this place, which is under my superintendence.

Laborers.

The number of persons who have been employed at the station as missionaries, during the past year, is four, viz:

Sherman Hall, missionary, Mrs. Hall, G. T. Sproat, teacher, and Mrs. Sproat.

Disbursements.

The expenses of the station during the year will not vary much from one thousand dollars. This amount has been expended chiefly for the support of the mission family and in maintaining a school, with the exception of about one hundred dollars, which have been expended for medicines and seeds, and in other ways for the benefit of the Indians.

Property on hand.

Neat cattle, valued at - - - - - - -	$200
Fishing apparatus, valued at - - - - - -	50
Farming and mechanic tools, valued at - - -	60
Buildings and improvements, valued at - - -	1,000
	1,310

School.

The whole number which has been on our school list, during the past year, is 72. Some of these have attended but a few days. Males, 42; females, 30. Average attendance of boys, for 304 days, 9 per day; of girls, for the same time, 6⅔ per day, making an average of about 16 scholars per day during the year. The number of scholars who have been instructed in reading and spelling only, is 31; reading, writing, and spelling, 18; Indian Testament, 19; English Testament and other English books, 17; elementary arithmetic, 9; geography, 9; history of the United States, 8. The school is free, no charge having been made for instruction, and is open to all who wish to enter it. The children taught, with the exception of three or four, are pure Indian and mixed blood. No scholars are boarded at the expense of the station.

I transmit herewith two copies of each of our publications in the Ojibwa language, which I now have on hand, for the use of the department, as I was requested in Governor Dodge's letter, a copy of which you furnished

me. An edition of Matthew's gospel has been printed by the board at Boston, which has not yet arrived.

I have not been able to obtain any Indian curiosities which will be of any use to the department. They cannot be obtained without more expense of time and money than I have had to devote to the subject hitherto.

I am, sir, with much respect, your obedient servant,

SHERMAN HALL.

B.

Report of the Catholic mission school of Grand Portage, commenced 1st *August*, 1838.

Teacher.	Scholars.	Children.		Adults.		Total.	Course of instruction.	
		Boys.	Girls.	Male.	Female.		Reading.	Writing.
F. Pierz	Indians -	21	18	10	9	58	58	10
	French -	4	1	8	4	17	14	4
	Total. -	25	19	18	13	75	72	14

REMARKS.

The Indians of this place are a part of the Chippewa tribe, but they are distinguished from others of the same tribe by their desire for civilization and education.

The climate also admits the culture of a few vegetables, which had never been introduced among them before my arrival.

The number of Indians is not so great at present as formerly.

The savages, from their great desire of civilization and education, deserve to have their request granted, and their manners changed, and be ranked among civilized people; and also serve as an example to other tribes of this Territory.

N. B.—The undersigned was, by a special invitation of the Indians of Grand Portage, requested to establish a Catholic mission among them, which he thought proper to do, and has since organized a school for the benefit of these poor ignorant savages.

He hopes also, by the assistance of the Government of the United States,* to continue his efforts for the temporal and spiritual welfare of the Indians.

Very respectfully, your obedient servant,

FRANCIS PIERZ, *Missionary.*

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* I believe Mr. Pierz's school as much entitled to the bounty of the Government as any of these establishments. D. P. B.

No. 61.

OTTOE VILLAGE, *September* 12, 1839.

The United States school teacher for the Ottoe and Missouria tribes of Indians would respectfully report, that the Ottoe and Missouria tribes of Indians have passed but five months of the last year at their village, near the mouth of Big Platte river. During the first two months, instruction was given in the Ottoe language. Seventeen males and one female, from the age of ten to twenty years, composed the school. Several of these have read more than fifty pages of what has been translated into their language. The others read in reading lessons. At the request of the chiefs and principal men, the teacher formed another class of pupils, and the last three months taught the English language. These scholars are from eight to twelve years of age. Seventeen are males and five are females. They are children of the chiefs. Their progress is slow, and must be so, as long as they remain with their parents, who are at present absent from their village one half the year. It is believed, however, that many of them will soon remain in their village through the year. The chiefs are desirous to have the teacher take these children into his family to board, clothe, and instruct. The teacher would gladly do so, provided he had the means furnished him. He designs to take into his family soon two or three of these children to board and teach.

The Ottoes and Missourias, are very partial, in sickness, to the medicine of the white man. While they are in the village, the teacher is daily called on to administer to their sick, and much of his time is occupied in this service.

No money is appropriated by Government for feeding or clothing the children of these tribes.

Respectfully submitted.

MOSES MERRILL,
U. S. Teacher.

Major JOSEPH V. HAMILTON,
Indian Agent.

62.

Report of Richard W. Cummins, Agent at Fort Leavenworth.

Shawnees.

The Baptist, Quaker, and Methodist societies have each a missionary establishment among this tribe; the Methodists have kept up a constant school for several years; this year they have twenty regular scholars living in the mission family, fourteen girls and six boys, eight of whom can read, write, and cipher a little, recite the tables in arithmetic and the first lessons in geography; eight others spell and read a little, and recite the tables in arithmetic; the other four have made but little progress, this being their first year; all the girls are handy with the needle, and some of the larger ones weave. The Quakers also have a school in operation this year, thirteen regular scholars living in the family, ten boys and three girls; this

school has not been long in operation; two boys read, six spell in three syllables, two in two syllables, and three in one; four of the boys are beginning to write. A part of this tribe evince a determination to give their children a plain English education, and learn them trades.

Delawares.

The Baptist and Methodist societies have each a missionary establishment among this tribe; the Methodists have a school of fourteen scholars, seven boys and seven girls; all live in the mission family; eight of whom read, write, and cipher a little, the other six spell well, and have commenced reading; the girls have made considerable proficiency in learning to sew; the boys are taught on the farm. The Baptist school consists of seven children at present, three of whom live in the mission family, and are taught in English and domestic arts.

Kickapoos.

The Methodist society have a missionary establishment among this tribe, at which a school is constantly kept in operation; the teacher is employed by Government, and some books furnished; there are sixteen regular scholars this year, thirteen boys and three girls; they live in the mission family, and are subsisted and partly, or wholly clothed by them; seven of these children read, write, study geography and arithmetic; six others can read, and have commenced writing; three others spell, and are beginning to read; this school was going on finely until one of the sons (not a member of the school) of Keennakuck, or the prophet, who is their second chief, killed their blacksmith. After this unfortunate circumstance happened, there seemed to be a backwardness in some of the parents of the children in sending or letting them remain at school.

Extract from the Report of Rev. Thos. Johnson.

As it is desirable the department over which you have the honor to preside should be duly informed of all that is doing for the civilization of the Indians, I beg leave to submit the following hasty report of the schools under my control, and patronised by the missionary society of the Methodist Episcopal church:

1. *Shawnee School.*—During the past year, we have had twenty regular scholars living in the mission family, fourteen girls and six boys, eight can read, write, cipher a little, recite the tables in arithmetic, and the first lessons in geography; eight others can spell and read a little, and recite the tables in arithmetic, &c.; four are new beginners, and have made but little progress. A few others have attended school occasionally, but as it is common with those who attend from their homes, they have learned so little that we shall not number them. The girls in this school are quite ready with the needle, and some of the larger ones can weave.

2. *Delaware School.*—Fourteen scholars, seven boys and seven girls, all live in the mission family; eight read, write, and cipher a little; the other six spell well, and have commenced reading; all the girls have made considerable proficiency in learning to sew, &c., while the boys are taught to work on the farm.

3. *Peoria School.* As other engagements have prevented my visiting this school for a few months past, I can only say that I believe the average number of scholars has been about twelve during the year. Only four or five reside in the mission family; the others return home when dismissed from school, and spend their time, except the few hours at school, as the other Indians do, and consequently have learned but little.

4. *Kickapoo School.* You will have a report of this school from J. C. Berryman, missionary of the Methodist Episcopal church, for the Kickapoos.

5. *The Kanzas School.* We have no regularly organised school among the Kanzas, but the missionaries have taken four or five children with their families, and teach them more or less every day, as they can find time from their duties.

SHAWNEE, Mo., *October* 7, 1839.

SIR: The severe indisposition which I have suffered, as you are aware, for many weeks has occasioned some delay in this communication. I now respectfully beg leave to make the following report of the missionary station among the Shawnees and Delawares, under the patronage of the board of managers of the Baptist general convention for the United States:

Connected with the station among the Shawnees are, the undersigned and his wife, Rev. Francis Barker, and Miss Elizabeth Churchill. Mr. J. G. Pratt, printer, with his wife, left this station a few days since, on account of ill health. A successor to Mr. Pratt in the printing office is expected shortly; so that we hope the operations of the press will be suspended a few weeks only.

During the preceding year, up to the departure of Mr. Pratt, the press was kept in successful operation. The print of greatest magnitude was a Harmony of the Four Gospels, in the Delaware language, consisting of 210 pages, 8vo., a portion of which will be delivered to the Indians in good binding.

All the prints of the preceding year have been on the new system of writing, which, so far as the experiment has been made, succeeds well, and promises to be of incalculable benefit in the work of Indian reform.

No school has been in operation during the past year. A school will be resumed in the course of a few days with ten scholars, viz: six males and four females, all between the ages of four and nine years. The number will be increased as the means of support shall justify. They will receive instruction in English, and will also be taught habits of industry in the different departments appropriated to each sex. They will board, lodge, &c., in the institution and at its expense. Religious instruction has been regularly imparted to the neighboring nations, and, it is hoped, with some success.

I omit a description of buildings and other improvements, because these have been reported in preceding years.

Connected with the station among the Delawares are, the undersigned superintendent, and J. D. Blanchard teacher, and wife, and Miss Sylvia Case. The school commenced in 1837 has been continued. During the preceding year the number of pupils increased to thirteen, viz: eight boys and five girls, between the ages of five and ten years. The number at present is seven, three of whom are supported wholly by the mission, which

also supports, in a great measure, the other four. They are instructed in English, and are also taught to labor in branches appropriate to their respective sexes. The number of scholars will be increased in proportion to the means of support.

Also, a considerable number of adults, among both the Delawares and Shawnees, have learned to read in their own language upon the new system; but as these take lessons only occasionally, and do not give regular attendance on instruction, the number cannot be stated with precision. Among the Delawares religious instruction has been attended with a good degree of success, and several have become hopefully pious.

Some additional improvements in out-buildings and fields have been made at this station within the year.

I herewith furnish copies of the different prints published within your agency, viz:

One small book, in Shawnee, 54 pages, 16mo., 300 copies; total pages 16,200.

Small book, in same, 24 pages, 300 copies; total pages 7,200.

Translation of the Gospel by Matthew, in Shawnee, (not finished,) 64 pages printed, 500 copies; total pages 30,000.

Hymns, in Shawnee, 16 pages, 200 copies; total pages 3,200.

Copies of Shawnee Sun for 1835, 1836, and 1837.

Small book, in Delaware, 24 pages, 300 copies; total pages 7,200.

Small book, in same, 48 pages, 300 copies; total pages 14,400.

Harmony of the Four Gospels, in Delaware, 210 pages 8vo., 500 copies; total pages 105,000.

Hymns, in Delaware, (not at hand,) pages, say 15,000.

Very respectfully, your obedient servant,
J. LYKINS, *Superintendent schools.*

Maj. R. W. Cummins,
U. S. Agent Indian Affairs.

Dear Sir: In the absence of Mr. Kinnear, the teacher of the Kickapoo school, it devolves on me to represent to you the state of said school, as taught at present by Miss Elizabeth Lee, employed by the missionary society of the Methodist Episcopal church.

The school numbers sixteen scholars, and has averaged that for a year or two past. These are tolerably regular, though of late, through the detrimental influence of the prophet and others, we have found it difficult to keep the children in regular and orderly attendance; and it seems to me that at present it is almost impracticable to keep our school under good discipline and management, while the children can, at any moment when they become dissatisfied, abscond and go home with impunity.

The children in school are classed as follows, viz:

First class. Jesse, Silas, Joseph, George, Stephen, Allen, Francis. This class read and write, and have been studying geography and arithmetic.

Second class. Davis, Henry, Andrew, Monroe, Jane, Amelia, Sarah. These spell and read, and have been practising a little in writing.

Third class. Andrew Jackson, Joshua, Daniel. This class spell well in three syllables, and read pretty well in simple lessons.

I have the honor to be, your obedient servant,
J. C. BERRYMAN.

Major R. W. Cummins.

FRIENDS' ESTABLISHMENT,
Shawnee Nation, 10*th Month* 11, 1839.

RESPECTED FRIEND: These will inform you that we have had thirteen Shawnee children at school pretty regular, some a little over and others a little under ten months, aged as follows:

Two about sixteen years old; four about eleven years old; two about nine years old; five under eight years old. None knew all their letters when they commenced, with the exception of two; they could spell a little in two syllables. Now, two are beginning to read in the Testament.

Four spell and pronounce pretty well any where in the spelling book; three spell and pronounce in one or two syllables; four know their letters, but are backward in starting to spell; two are writing on paper; seven on slates. Their advance in that branch, equals any thing I ever saw among the whites. The prospect is to continue the school. We teach them the English language. I cannot tell but what the capacity of the Indian is equal to that of white children, put them under the same embarrassments.

ELIAS NEWBY.

RICHARD W. CUMMINS.

No. 63.

Additional regulations for paying annuities, and executing treaty stipulations.

1st. Superintendents to be general receivers of funds within their superintendencies, which they shall distribute in their several districts, by requiring the presence of one agent or sub-agent at the superintendency, through whom the moneys shall be conveyed to the different agencies.

The actual and necessary expenses of the agent or sub-agent who renders this service shall be paid.

2d. Annuities to be remitted as follows: those that it will be necessary to send early, on account of difficulty of transmission by water, (on the Missouri and Arkansas,) to be remitted first, and those for the Mississippi and lake country at a proper interval within the time that the money is expected.

The same of goods and other articles under treaties.

3d. Moneys for expenses of agencies, including pay of agents employed, blacksmiths, farmers, and others, to be remitted quarterly; and no second quarter's payment to be turned over to agents by superintendents, until an account of each preceding quarter's disbursements is rendered; or

4th. The agents shall give certificates to the persons employed or appointed by them, respectively, of the sums that may be due at the end of each quarter, which will pass as cash, and obviate any inconvenience that might result from the third provisions. This arrangement to be adopted or not, as the superintendent and agent may agree. Payments not to be made by agents when they grant certificates. These evidences of debt to be lifted by the superintendent, who will make no payments of the character contemplated without them.

5th. With the preceding qualifications, the moneys due for annuities, by treaty stipulations, and for expenses, to be turned over to the several agents and sub-agents by the superintendents.

6th. Each agent and sub-agent shall transmit, on the first day of every month, direct to the office of Indian Affairs, one abstract of the receipts and expenditures of the previous month, prepared as the quarterly abstracts are except that they will be unaccompanied by vouchers, including goods, provisions, stock, implements of husbandry, and every species of property confided to his care; and another to his superintendent. And each agent and sub-agent shall, within five days after the expiration of every quarter, make out and certify his accounts for that quarter, and by the first mail thereafter, (or by the first opportunity where there is no mail,) transmit the same to his proper superintendent, sending by the mail, where there is one, a certificate of the postmaster to said office, that he has made said transmission.

The superintendents shall severally, within five days after the receipt of the quarterly accounts, transmit the same, by mail, to the Commissioner of Indian Affairs, with a certificate of the postmaster as above. Upon a failure to comply with the foregoing, or the non-arrival of the accounts in due course at this department, one request for explanation shall be made of the agent, sub agent, or superintendent, as the case may be; and if it is not satisfactory, such omission or neglect shall be regarded as just cause of removal.

7th. The superintendent at St. Louis, and the acting superintendents of the Western Territory and of Michigan, shall each give bond, with two sureties, in the sum of twenty thousand dollars; the different agents and sub-agents, who disburse upward of fifty thousand dollars, shall give the like security; those whose disbursements are under fifty, and over twenty thousand dollars, shall enter into bond, as above, in a sum not exceeding ten thousand dollars; and those whose disbursements will be under twenty thousand dollars, in bond not exceeding five thousand dollars; conditioned, severally, for the faithful discharge of their respective duties, and the rendering of just accounts, as herein before provided, of the receipt and expenditures of all moneys, and property of every description intrusted to them, and the paying over of balances and delivery of property that may be at any time in their hands, on the requisition of the department.

8th. The emigration of Indians to be conducted as heretofore, under special superintendents and agents, with the modification made necessary by the law of 5th July, 1838.

9th. The regulations heretofore prescribed to continue in force, except where changed hereby. The different superintendents and agents will have reference to so much of the 13th section of the law of 30th June, 1834, as requires their accounts for the year to be on file by the first of October.

10th. The form of the voucher will be varied according to the change of circumstances. The agent will take the receipt of the individual to whom he makes payment, and below it will add, "I certify, on honor, that the above account is correct and just, and that I have actually, this day of , paid the amount thereof." General accounts of moneys or property will be certified as heretofore directed by regulations.

11th. Receipts for annuities will be taken in duplicate, and certified by the agent and interpreter and by a military officer, where one is present under the next regulation; and, when there is none, by at least one respectable citizen.

12th. When an annuity is about to be paid, the Secretary of War will order a military officer, where one can be had for the purpose, to attend at the point of payment, carrying with him a small number of soldiers, say fifteen or twenty, to preserve order, exclude the sale and prevent the use of ardent spirits, to protect the Indians from losing the benefits intended them by the Government, either by their own improvidence, or the acts of others, and generally to enforce the intercourse laws.

13th. Where there are independent agencies, as for the Wyandots, Munsees and Delawares, in Ohio; the Miamies and Eel Rivers, in Indiana, and the Six Nations, in New York, the agents will be furnished with funds, and transmit their monthly abstracts, quarterly accounts, and certificates of postmasters, according to the restrictions as to time, &c., in the 6th of these regulations, direct to the office of the Commissioner of Indian Affairs.

J. R. POINSETT.

WAR DEPARTMENT,
March 23, 1839.

No. 64.

Law of the Territory of Iowa.

AN ACT to prevent the selling of spirituous liquors to Indians.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa*, That if any tavern-keeper, grocery-keeper, or other person or persons shall sell or barter, or in any manner dispose of any spirituous liquor, or any other liquor of intoxicating quality to any Indian or Indians within this Territory, such person or persons shall forfeit and pay, for the use of the county, a fine not exceeding one hundred dollars nor less than twenty-five dollars, to be recovered with costs of suit by action of debt in the name of the United States of America, or by indictment or information, in any court having competent jurisdiction to try the same; and the person or persons so offending shall moreover forfeit the article, of whatever nature or kind, he, she, or they, have received in exchange, which shall be restored to the proper owner, upon the proper proof of ownership being made before any justice of the peace within the Territory; and all justices of the peace, constables, and all other proper officers are hereby authorized and required, under the penalty of forfeiture of their respective offices, to make complaint of such violations of this law as come within their knowledge.

SEC. 2. This act to take effect and be in full force after the first day of March next.

Approved, January 3, 1839.